UNITED
NATIONS

E

Economic and Social Council

PROVISIONAL

E/1996/SR.42
7 January 1998

ORIGINAL: ENGLISH

Substantive session of 1996

PROVISIONAL SUMMARY RECORD OF THE 42nd MEETING

Held at Headquarters, New York,
on Friday, 19 July 1996, at 3 p.m.

President: Mr. RIVA (Argentina)
(Vice-President)

CONTENTS

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued)

(a) SPECIAL ECONOMIC, HUMANITARIAN AND DISASTER RELIEF ASSISTANCE (continued)

(i) UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (continued)

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

96-80962 (E)

In the absence of Mr. Gervais (Côte d'Ivoire), Mr. Riva (Argentina), Vice-President, took the Chair.

The meeting was called to order at 3.30 p.m.

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued) (A/51/203-E/1996/86)

(a) SPECIAL ECONOMIC, HUMANITARIAN AND DISASTER RELIEF ASSISTANCE (continued) (E/1996/65, A/51/172-E/1996/77)

(i) UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (continued) (E/1996/52 and Corr.1)

Mr. MARRERO (United States of America), speaking on the question of humanitarian assistance, expressed his Government's strong support for the work of the Department of Humanitarian Affairs and emphasized that humanitarian assistance must be effective, efficient and well-coordinated. The Department of Humanitarian Affairs and the humanitarian agencies had the potential, in their work to implement Economic and Social Council resolution 1995/56, to lay the foundation for action in many key areas, including assistance to internally displaced persons, prevention of complex humanitarian disasters and the relationship of emergency assistance to development programmes.

The Department should draw up a plan for consultation with Governments regarding the forthcoming analysis of the capacity of the United Nations system for humanitarian assistance, in order to ensure that the Council would be in a position in 1997 to act on recommendations for change that might emerge from the analysis. His delegation congratulated the operational agencies for the progress they had made thus far in defining their roles in the areas set forth in Council resolution 1995/56.

An important example of the Department's coordination role was its Military and Civil Defence Unit, which would develop specific ways for national military and civil defence organizations to best support humanitarian programmes in dire emergencies. His delegation encouraged the operational agencies to make use of the Unit - to which his Government had contributed $150,000 - as a planning and evaluation body.

The Department also should enhance the consultative nature of its preparations for meetings of the Inter-Agency Standing Committee with a view to improving the Committee's utility as a forum for decision-making on humanitarian issues. Further, the Department should ensure that the improved coordination at Headquarters between it and other United Nations departments - which his delegation welcomed - was reflected in operations in the field. The lead agency concept merited consideration in that context.

With regard to economic sanctions, the Department of Humanitarian Affairs need not report the fact that sanctions had a real economic impact on people and Governments; rather, its role must be to demonstrate leadership in ensuring that exceptions to sanctions were used to mitigate hardships endured by people who suffered because their Governments had, for good reason, been isolated through sanctions. That must be accomplished without undercutting the objectives the sanctions regimes were intended to serve. For example, the Department must ensure that humanitarian distributions undertaken pursuant to Security Council resolution 986 (1995) proceeded in a manner consistent with the intent of the resolution. It must be vigilant in its observation of the resolution's implementation in central and southern Iraq. Sound judgement in the development of activities funded pursuant to the resolution in northern Iraq was also essential.

His delegation supported the Department's coordination of demining efforts, particularly, in respect of the landmine database, and the Department's assumption of the management of the Mine Action Centre in Bosnia. The international community must continue closely to cooperate with the Department on global demining issues.

His delegation continued to believe that there was insufficient justification for expanding the scope of the Central Emergency Revolving Fund. Where legitimate need for an activity existed, donors would respond through existing funding mechanisms, primarily through the operational humanitarian agencies.

Mr. MEKDAD (Observer for the Syrian Arab Republic) said that with the assistance of the international community, Lebanon had entered a new era of reconstruction and development. The report of the Secretary-General (E/1996/65) contained an excellent analysis of the very serious consequences of Israel's occupation of southern Lebanon and its continuing attacks on that part of the

country, in particular in April 1996. The attacks, inter alia, on the infrastructure of the country, hindered the reconstruction efforts which were under way. Moreover, Israel continued to disregard Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and to flout the principle of "land for peace".

His country had always supported Lebanon and called on Governments and organizations to provide it with generous assistance. His delegation commended Lebanon on its own reconstruction efforts and welcomed the support provided by the United Nations, to specialized agencies and Governments.

A well-defined mechanism for the reconstruction of Lebanon that was responsive to the needs established by the Lebanese Government was required. The unconditional withdrawal of Israel from Lebanese territory pursuant to Security Council resolution 425 (1978) was also vital for peace and progress in Lebanon.

Mr. CHINWANNO (Thailand), referring to the report of the Secretary-General contained in document E/1996/77, said that the review process undertaken by UNICEF, UNHCR, UNDP, the World Food Programme (WFP) and the World Health Organization (WHO) was welcome, and his delegation looked forward to the comprehensive report on the review of the capacity of the United Nations system for humanitarian assistance to be submitted to the Council in 1997.

It was important to ensure the coordination, at Headquarters and in the field, of the response of the various humanitarian and development agencies to emergencies, in particular, in addressing the continuum of relief operations, rehabilitation and development. He underscored the value of the central coordinating role of the Department of Humanitarian Affairs, the work of the Inter-Agency Standing Committee and memoranda of understanding between various agencies. Efforts should continue to help strengthen local capacities for disaster preparedness and response to mitigate the impact of emergencies on affected populations.

With regard to prevention strategies, greater resources must be committed to promote sustainable development, poverty alleviation and the reduction of economic and social disparities, which were major causes not only of political tensions and conflicts, but also of environmental degradation and natural disasters. He commended the Department of Humanitarian Affairs for its emergency response at the onset of natural disasters, in mobilizing

international assistance and coordinating international relief. In keeping with its humanitarian tradition, his country would continue, within the limits of its resources, to provide emergency humanitarian assistance to affected countries, bilaterally or through international organizations.

Mr. GORELIK (Russian Federation) said that his delegation was very concerned about the persistent need for humanitarian assistance, donor fatigue, the uneven attention focused on different countries, regions and operations, and shrinking supplies of food aid. Consolidated inter-agency appeals remained an effective means of mobilizing resources, although it was true that the level of response by the international community needed to be increased and equalized across all humanitarian operations. He welcomed the efforts to establish clearer priorities in those appeals.

The report in document E/1996/77 rightly stressed the need to link emergency assistance with reconstruction and development, particularly in the context of funding arrangements. Inter-agency appeals must be coordinated with round-table meetings and consultative groups, and it was to be hoped that practical proposals would be made in that regard. His delegation agreed that in recent years the coordination of humanitarian assistance had been considerably strengthened, especially at the headquarters level, and welcomed the growing practice of memoranda of understanding being concluded between major United Nations agencies participating in humanitarian operations. It was important to establish standby arrangements with external donors to provide increased emergency assistance at times of special need. His delegation supported the use of service packages to mobilize assets from donor countries.

Regarding capacity restraints and limitations of the United Nations humanitarian system (section III.C), his delegation believed that the issues were not all equally complicated and that, in particular, the issues of coordination, staff development, and monitoring and evaluation could be dealt with more speedily. As to resource mobilization, his delegation hoped that the work of the sub-working group on resource mobilization would help in better evaluating assistance and national assets and services provided for humanitarian operations. Special emphasis should be given to post-conflict peace-building, which integrated relief and development. There must be proper coordination of the efforts and programmes of all those involved, including United Nations operational agencies, the Bretton Woods institutions and humanitarian agencies.

With regard to the operation of the Central Emergency Revolving Fund, his delegation felt that in exceptional cases the channelling of the Fund's resources to finance protracted emergencies could be justified in order to ensure the survival of a humanitarian operation. The Council could recommend such authorization, subject to certain criteria. His delegation wished to know when the Humanitarian Early Warning System would become fully operational.

A strategy needed to be worked out after reviewing current institutional arrangements, as mentioned in paragraph 108 of the report, and taking into account the four major weaknesses referred to in paragraphs 110 to 113. His delegation hoped that the Department of Humanitarian Affairs would be able to provide suggestions in that regard, since it was important to draw on the Department's unique potential.

In 1995-1996 the Ministry for Emergencies of the Russian Federation had provided emergency humanitarian relief to 18 countries for a total of $20 million.

Mr. KAID (Observer for Yemen) expressed his country's appreciation for the assistance provided to it by the United Nations and its specialized agencies and donor countries for the reconstruction of his country. Its infrastructure had been seriously damaged by war, and torrential rains had caused many casualties and destroyed many homes. His country required additional assistance from the international community to confront the difficulties which it faced.

His Government was pursuing the process of democratization and development and had made considerable progress in restructuring various sectors of the economy. In addition, a special tribunal had been established to bring persons accused of corruption to justice.

Mr. DONOKUSUMO (Indonesia) said that his delegation agreed in general with the context for humanitarian assistance described in the report of the Secretary-General (E/1996/77). His delegation was particularly concerned that, at a time when official development assistance had stagnated, donor countries were not adequately responding to United Nations consolidated appeals for humanitarian assistance. Although the adoption of General Assembly resolution 46/182 and Council resolution 1995/56 had led to greater coordination and rationalization of resources, further efforts to achieve those goals must be made. The long-term solution to humanitarian crises lay in the sustained and

sustainable development of developing countries. Funding for humanitarian assistance should not be provided at the expense of development assistance.

His delegation agreed that relief, rehabilitation and development were closely intertwined and that development issues should be addressed even as relief activities were under way. Capacity-building and development programmes were central to addressing the root causes of certain humanitarian crises and helped to reduce the vulnerability of affected populations. The participation of the World Bank in the Inter-Agency Standing Committee would further strengthen the efforts of the United Nations to address crises in a holistic manner, and his delegation also welcomed the measures being taken by UNDP, UNICEF and UNHCR in that connection. It also welcomed the UNHCR work on international protection.

His delegation looked forward to the review of funding arrangements for relief and development activities to be carried out by the Inter-Agency Standing Committee working group and by the Consultative Committee on Programme and Operational Questions of the Administrative Committee on Coordination. Given the need to improve the coordination of relief activities at the field level, his delegation looked forward to the report comparing the resident coordinator system with the lead agency arrangement, since it saw merit in both options. It also looked forward to the evaluation to be performed by the sub-working group on coordination and hoped that the more efficient utilization of resources would encourage adequate and timely funding arrangements. The sub-working group on monitoring and evaluation should recommend a workable system for the coherent monitoring of United Nations activities in emergency situations.

His delegation hoped that the establishment of a financial strategy for addressing the extrabudgetary requirements of the Department of Humanitarian Affairs would ensure predictable resources for long-term activities. There was a continuing need to address problems arising from the imbalance in the Department's regular and extrabudgetary resources. The Council should recommend measures to strengthen the Central Emergency Revolving Fund and ensure its effectiveness as a borrowing facility and as an instrument for emergency responses. Additional measures should be taken to ensure the availability of adequate resources for protracted emergencies.

Turning to the refugee situation in South-East Asia, he said that his delegation was grateful to UNHCR for the assistance rendered under the

Comprehensive Plan of Action for Indo-Chinese Refugees. UNHCR must continue to meet its responsibilities with respect to reintegration and monitoring activities. He was confident that with the support and cooperation of all concerned that function would be discharged successfully.

In conclusion, he said that his delegation welcomed the efforts under way or planned to enhance the operations of the Department of Humanitarian Affairs in emergency humanitarian relief efforts in general. It was imperative that the international community should maintain its commitment not only to short-term alleviation and relief measures but also to the mitigation of protracted humanitarian emergencies.

Mr. ANDREASSEN (Observer for Norway) expressed his delegation's satisfaction with the report of the Secretary-General in document E/1996/77 and underscored the importance of the work of the Department of Humanitarian Affairs and the critical role of the Emergency Relief Coordinator. The complex activity of responding to disasters and emergencies required an ongoing evaluation of existing mechanisms, and his delegation was pleased that the Department was committed to that process, in which the principles of humanity, neutrality and impartiality were prime. The Department, as the provider of support and essential services to the Inter-Agency Standing Committee, should be strengthened. The sub-working groups of that Committee had important work to do in that regard.

On the question of funding, his country, as a major contributor, encouraged others to respond favourably to the consolidated inter-agency appeals process in order to enhance international burden-sharing. In preparing appeals, the Department of Humanitarian Affairs should continue to involve non-governmental organizations, and the appeals should reflect the continuum from prevention to long-term rehabilitation and development. The Central Emergency Revolving Fund, which his country continued to support, was a useful tool in facilitating a rapid response in the initial stages of emergencies.

He underscored the critical role of the Department of Humanitarian Assistance with respect to coordination in the field. The Inter-Agency Standing Committee should devise a system for scenario planning, including efforts to clarify the comparative advantages of its members and establish a division of labour. Situation-based solutions, rather than a standard approach, were

required. His country had developed a highly effective emergency response system.

The Department of Humanitarian Affairs should play a key role in the collation, analysis and dissemination of relevant information in a standardized manner, and its analytical capacity should be strengthened to that end. The Integrated Regional Information Network at Nairobi represented a positive step in that direction. His Government continued to support the valuable operational role of the Department as the United Nations focal point for demining issues and as the administrator of the voluntary trust fund for assistance in mine clearance. His delegation was concerned about the financial situation of the Department and believed that a substantially larger share of its operating resources should be provided from the regular United Nations budget. The Department should look critically at its activities and focus on its priority areas of work.

His delegation urged the United Nations to strengthen its efforts to ensure the safety of relief personnel. It underscored the importance of a timely conclusion of the work of the governing bodies of relevant United Nations organizations pursuant to paragraph 2 (b) of Council resolution 1995/56, with a view to consideration by the Council of the comprehensive and analytical report called for in that resolution.

Ms. SAIGA (Japan) said it was essential that the international humanitarian assistance community should strengthen the linkage between relief operations and rehabilitation and development activities. The Inter-Agency Standing Committee provided an appropriate forum for fostering coordination among humanitarian and development assistance agencies even before ceasefires were achieved. Her delegation fully supported the Committee's efforts to review possible modalities for associating the World Bank with its work. It welcomed the recent decision to allocate a portion of the UNDP core fund to countries in special development situations, although the details of that new arrangement should be reviewed thoroughly by the Committee. Although it was important to involve development assistance agencies at an early stage, humanitarian assistance agencies also played an important role as catalysts for rehabilitation and development; the quick-impact projects of UNHCR were most welcome.

Her delegation welcomed the willingness of UNHCR to respond to requests for assistance to internally displaced persons but, considering the heavy burden it was already shouldering, felt that its mandate should not be expanded to cover that function. Each humanitarian assistance agency involved with internally displaced persons should act on the basis of its own mandate and expertise, while maintaining proper coordination in order to ensure the effectiveness of the overall effort.

With regard to coordination in complex emergencies, it was important to strengthen the capacity of the Department of Humanitarian Affairs as the central coordination body, through such measures as active utilization of the Inter-Agency Standing Committee and an improved consolidated inter-agency appeals process. Her delegation also supported the efforts of the Department to obtain a larger allocation from the regular budget and to streamline and rationalize its organization and work. At the field level, coordination could be maintained most effectively by a regional humanitarian coordinator. Her delegation welcomed the practice of concluding memoranda of understanding.

The Central Emergency Revolving Fund had been an effective instrument in enabling United Nations agencies to respond to emergencies in a timely manner. However, the Fund should not be used for protracted emergencies, since its main purpose was to ensure a timely response in the initial phase of an emergency. There was no urgent need to expand the Fund at the current stage, since the Fund balance was at a satisfactory level.

Ms. HAMILTON (Australia) said that Australia supported efforts to strengthen the coordination of United Nations emergency humanitarian assistance and was in favour of an effective coordinating role for the Department of Humanitarian Affairs. It stressed the need for all United Nations agencies to develop strategies to apply their individual resources and strengths to the common goal of more effective coordination of humanitarian assistance. Governments had a role in enhancing coordination by providing coherent direction to the various parts of the United Nations system. Australia was especially interested in ascertaining how coordination worked in relation to internally displaced persons and mine-clearance and how adequate and stable funding for coordinated United Nations humanitarian assistance could be maintained. The transition from a complex emergency phase to development assistance was also important.

Her delegation supported the comments made by Ireland, on behalf of the European Union, and by Norway regarding the protection of humanitarian workers.

Mr. TENNE (Observer for Israel), referring to the report on assistance for the reconstruction and development of Lebanon (E/1996/65), said that the report described in great detail the damage inflicted on Lebanon during the conflict in April 1996 and also quoted unnamed "officials" who blamed Israel for deliberately inflicting the damage. However, there was no allusion to the actual cause of the hostilities: the unprovoked and unhindered wave of terrorist missile attacks from Lebanese territory against the civilian population of northern Israel and the resultant economic and physical damage, as well as loss of life. The report also omitted mention of the strenuous Israeli efforts to reach an understanding that would end those attacks and the fact that Israel had been left with no alternative but to defend itself.

Israel, as always, was ready to negotiate peace with Lebanon; it had no claim on Lebanese territory, economy or security. However, Israel's right to its security and inviolability must be respected.

Mr. SINGH (India) said that too little attention was being accorded to natural disasters as compared with other kinds of crises, and more work needed to be done to assess the extent to which natural disasters caused damage in developing countries and whether they were receiving enough international funding. In responding to humanitarian crises and natural disasters, efforts must be made to strengthen national capacity, instead of relying on skills from abroad, so as to enable countries to tackle problems more effectively in the long term. South-South cooperation must be enhanced, and the Department of Humanitarian Affairs should pay more attention to the kind of facilities and expertise available in countries undergoing emergency situations.

There should be greater transparency in the allocation of fund resources. His delegation was concerned about the extent to which humanitarian aid was diverting resources from development; that issue must be kept in mind.

Mrs. MAAZA BEKELE (World Health Organization (WHO)) said that the World Health Assembly, at its forty-ninth session in May 1996, had endorsed five major fields of activity for WHO: technical support for emergency humanitarian assistance; emergency preparedness and the development of national capacity for emergency health management; rehabilitation of national health structures and the linking of relief and development activity; humanitarian advocacy; and

enhanced partnership with national, international, intergovernmental and non-governmental organizations. WHO had made considerable progress in responding to health needs arising from such emergencies; however, WHO member States had emphasized that natural disaster prevention and mitigation were as important as coping with the impact of man-made emergency situations and had also stressed that WHO was primarily a technical, not a relief agency.

Cooperation between WHO headquarters and its regional offices had been significantly strengthened. Technical assistance was increasingly made available to field offices, including specialized medical equipment, communications and logistic equipment, and personnel. Emergency staff were made available through short-term contracting or through collaborating arrangements with emergency response organizations; the goal was to have on standby a number of trained persons familiar with the work of WHO.

Work was in progress on memoranda of understanding with UNICEF and UNHCR. Emergencies of a purely public health nature, however, were handled directly by WHO. Since the resources of WHO were not primarily directed to relief operations, WHO depended on appeals by the Department of Humanitarian Assistance, and the funds often arrived too late. The World Health Assembly had therefore called on WHO to mobilize the relatively limited resources required to firm up its emergency response capacity.

Ms. LEU (Observer for Switzerland) said that the capacity of the United Nations to respond to humanitarian emergencies depended to a large degree on how efficiently each United Nations agency worked and how well they operated together. Her delegation looked forward to the comprehensive analytical report which the Secretary-General would submit to the Council. One of its results should be a more clear-cut definition of roles within the United Nations system that also took into account the mandates of major non-United Nations actors such as the International Committee of the Red Cross. Her delegation was in favour of "multi-track" assistance, consisting of enhanced cooperation and coordination among humanitarian actors, integrating all tools available in complex emergencies.

Her delegation noted with satisfaction the progress made by the Department of Humanitarian Affairs in implementation of General Assembly resolution 46/182 and noted that it was the only Department in the Secretariat to have undergone a strategic planning exercise and an independent management study. Her delegation

believed that the Department had a unique and central role to play in the coordination of humanitarian assistance and must be provided with the necessary tools, including a proper management structure, adequate staffing, a sound financial basis and some certainty about its future. Switzerland would continue to support the Department, both conceptually and financially, as it had done from the outset.

Her delegation paid tribute to the members of the humanitarian community who had given their lives for their beliefs and hoped that in the near future ways and means could be found of guaranteeing their safety and well-being.

Ms. AHLUWALIA (Observer for the International Federation of Red Cross and Red Crescent Societies) said that, even though members of the International Red Cross and Red Crescent Movement had been direct targets of violence, the Movement intended to rely on strict adherence to its fundamental principles for security and to discourage the use of armed protection. States should recognize the need to maintain a clear separation between the Movement's humanitarian action and political, military or economic actions.

In view of the growing need for humanitarian assistance in a context of limited resources, the issues of effective planning, coordination and delivery of humanitarian assistance needed to be further addressed both within the United Nations system and with key partners outside the system. On the basis of its long experience, the International Federation had developed its own rules and principles for disaster relief and had co-sponsored a code of conduct for disaster relief, to which many organizations had voluntarily subscribed. That code also dealt with relationships among non-governmental organizations, Governments and the United Nations system. The International Federation took an active part in coordination efforts through the Inter-Agency Standing Committee and the Department of Humanitarian Affairs. In relation to the three key issues identified in section III.A of the report of the Secretary-General (E/1996/77), more importance should be attached to the role of competent local and national structures before, during and after crisis situations.

While the International Federation emphasized the independence of its decisions and actions, it also recognized the importance of cooperation with the United Nations system. It had worked with UNFPA and UNHCR to integrate reproductive health into refugee and emergency humanitarian assistance, and was working with UNICEF, UNHCR, WHO and other organizations on standardizing basic

humanitarian supplies and logistics. Recently, it had concluded a cooperation agreement with the Organization of African Unity. Moreover, it was addressing the issue of food security with the World Food Programme (WFP), and would pursue that dialogue at the forthcoming World Food Summit.

At its 1995 Conference, the International Federation had adopted resolutions on: the negative impact of economic sanctions on the humanitarian needs of vulnerable populations; violence against women, especially in crisis situations; and strengthening national capacity to provide humanitarian and development assistance to the most vulnerable groups. Humanitarian efforts must be reassessed, realigned and harmonized, and the Secretary-General's coordination initiatives required collective support and cooperation.

Mr. ZIMMERMANN (Observer for the International Committee of the Red Cross (ICRC)) said that there was a disturbing dichotomy between political affirmations and actual events with regard to ensuring respect for the right of victims of armed conflict to receive protection and assistance. That right was matched by the right of humanitarian organizations to act on behalf of the populations affected. All too often, however the actions of those organizations were hampered, their staff came under attack and their supplies were looted and used for military purposes. Political leaders throughout the world must strengthen their commitment to peace in situations where political action was the sole means of resolving the issues at stake.

The coordination of humanitarian relief efforts could and must improve the effectiveness of those efforts. However, coordination mechanisms should be kept as flexible as possible and should not be excessively time-consuming, slow down the decision-making process or render cooperation more complex. Humanitarian coordination must serve the interests of the victims, with a minimum of red tape. ICRC participated actively in those efforts, seeking to develop synergies while abiding by its principle of independence.

ICRC also took preventive action, particularly by promoting knowledge of the rules of humanitarian law among the armed forces. It was concerned about the potential effects of contingency plans, especially those involving the deployment of armed forces, since they could have the adverse consequence of prompting the warring parties to develop a hostile attitude towards humanitarian organizations, thus rendering their task even more difficult and dangerous. The

international community must promote respect for humanitarian law, which kept the door open for reconciliation and the restoration of peace.

Mr. APTSIAURI (Observer for Georgia) said that the Department of Humanitarian Affairs had strengthened its coordinating role and that the mechanisms of aid supply and distribution were improving, particularly at the field level. Georgia was currently in a difficult period of economic and political transition, which was complicated further by the presence of 300,000 refugees and displaced persons in the country owing to the unresolved conflict in the region of Abkhazia. The work of the Department of Humanitarian Affairs was therefore vitally important for Georgia's most vulnerable population groups. The regional meeting with United Nations agencies, non-governmental organizations, donor States and the Governments of Armenia, Azerbaijan and Georgia, held in March 1996, had been a practical step towards improving the regional approach to international assistance.

Ms. BIGGAR (Ireland), speaking on behalf of the European Union and Bulgaria, Cyprus, Estonia, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Norway, Poland, Romania, Slovakia and Slovenia, said that he welcomed the progress noted in the report of the United Nations High Commissioner for Refugees (UNHCR) (E/1996/52 and Corr.1), particularly in the former Yugoslavia. However, he was concerned about the restrictions on freedom of movement, which hindered the work of UNHCR in the region and could have serious implications for the forthcoming elections in Bosnia and Herzegovina. The readiness of countries of origin to allow the return of all refugees must be one of the criteria for participation in the reconstruction and development programmes to which the European Union was a major contributor. He urged the parties to the General Framework Agreement for Peace in Bosnia and Herzegovina to rehabilitate housing and other basic infrastructure, to remove legal and administrative obstacles to the return of refugees and displaced persons, and to cooperate fully with UNHCR. In addition, with respect to the Commonwealth of Independent States (CIS), he urged the Governments concerned to work closely with UNHCR and the International Organization for Migration (IOM) in implementing the Programme of Action agreed upon at the recent Conference held in Geneva.

His delegation supported the peace efforts under way in Burundi and the confidence-building measures aimed at ending impunity and creating a credible judicial system in Rwanda. A regional conference under the joint auspices of

the United Nations and the Organization of African Unity was needed to examine and resolve the causes of the crisis in the Great Lakes region of Africa.

He called on the international community to give greater financial and material assistance to UNHCR, whose programmes urgently needed timely and adequate funding. He commended UNHCR for its coordination efforts pursuant to Economic and Social Council resolution 1995/56 and for its continued emphasis on developing collaborative relationships with other international, intergovernmental and non-governmental organizations.

Mrs. MSUYA (United Republic of Tanzania) said that she welcomed the signing of the Memorandum of Understanding between UNHCR and UNICEF, as well as the note submitted by UNHCR to its Executive Committee, which addressed the need to alleviate the burden placed on many developing countries by mass influxes of refugees. In some cases, the refugee population in a given area exceeded the local population; for example, the presence in Ngara, United Republic of Tanzania, of 700,000 refugees in an area inhabited by 175,000 people had placed a burden on the local population and the Government which continued to be felt long after the refugees had left.

In the Great Lakes region of Africa, the efforts of UNICEF, UNHCR and non-governmental organizations to reunite unaccompanied children with their families deserved more support. She welcomed the new policy on the environment adopted by the UNHCR Executive Committee, especially since it provided for the participation of local populations. The UNDP/UNHCR Great Lakes Initiative to address degradation of infrastructure and the environment in refugee-affected areas in the United Republic of Tanzania, Burundi and Zaire, and the international symposium on the impact of environmental factors on displacement and the latter's impact on the environment, were steps in the right direction.

She hoped that the ongoing consultations between UNHCR and the World Bank and regional development banks on the impact of refugee influxes on development needs would bear fruit. It was disturbing to note that most of the cases still considered in need of resettlement had originated in Africa. States should facilitate the return and reintegration of refugees by providing countries of origin with the development assistance and should address the question of resettlement to third countries on the basis of international burden-sharing.

With respect to the prevention of refugee flows, support for development was just as important as an effective human rights regime. She joined UNHCR in

asking the international community to redouble its efforts to address the refugee crisis by providing additional human and financial resources in the short term and by implementing preventive measures in the long term.

Mr. KOZIY (Observer for Ukraine) said there had been a recent increase in migration to Ukraine, consisting primarily of returnees and individuals who were fleeing military conflicts in their countries of origin. Greater cooperation was needed between the countries involved in order to manage those migrant flows. In that regard, his delegation had welcomed the regional conference convened in May 1996 in Geneva to discuss irregular migratory movements in the CIS and relevant neighbouring States. The preparatory process to that conference had generated common approaches to resolving migration problems and a general policy for the countries of the region to follow in managing the migratory processes and preventing mass displacements of persons. The conference's final document included a programme of action emphasizing the need for bilateral and multilateral cooperation between all countries of the region and an operational programme specifying the activities to be carried out by UNHCR and the International Organization for Migration (IOM) in the CIS countries during the period 1996-2000. Another section of the final document set out preventive measures to be taken in order to protect the human rights of individuals in the region, particularly those of minorities. The implementation of preventive measures required the close cooperation of UNHCR, the Centre for Human Rights and the Organization of Security and Cooperation in Europe.

Mr. GARCÍA MORITÁN (Argentina) said that United Nations human rights initiatives and mechanisms should be strengthened as a preventive measure, given the link between refugee flows and human rights violations. He welcomed the efforts of UNHCR to intensify its cooperation with the United Nations High Commissioner for Human Rights, particularly in field operations, and to promote the ratification of international human rights instruments. As a country which had traditionally been a destination for refugees, Argentina was prepared to cooperate fully with UNHCR.

Mr. AL-HITTI (Observer for Iraq) said that Iraq had traditionally been a country of asylum for refugees, but that the exceptional circumstances brought about by the imposition of unjustified economic sanctions and the military campaign waged against Iraq had prompted some Iraqi citizens to flee to neighbouring countries. The continuation of the economic embargo despite Iraq's

implementation of United Nations resolutions had resulted in food shortages, deteriorating living conditions and a serious "brain drain" as qualified professionals left the country. To solve the problem of Iraqi refugees, other countries should stop interfering with the lives of the peoples in the region so that the central authorities could take steps to strengthen peace and security and to encourage the refugees to return home. The international community should study the effects of the economic sanctions on Iraq's human rights situation and economic development and should develop new machinery to mitigate those effects. Since refugee problems were closely linked to development problems, the United Nations should consider lifting or at least lightening the economic sanctions to end the mass migration they had prompted.

Mr. AKBAR (Pakistan) said that his country had been host to one of the largest groups of refugees in history, providing shelter to 3.2 million Afghan refugees, and had worked closely with UNHCR and WFP. The continuing presence of a considerable number of those refugees was a source of several problems. Any reduction or withdrawal of assistance would only intensify the economic burden already placed on his Government, which was spending a significant amount of its own resources to ensure the welfare of an estimated 1.5 to 1.6 million Afghan refugees. If outside assistance was reduced, it would be extremely difficult to keep those refugees in camps and they would risk becoming illegal immigrants. In that regard, he appreciated the efforts of UNDP, the World Bank and UNHCR, which had provided assistance in the rehabilitation of Afghan refugees.

In October 1995, WFP had discontinued its assistance to Afghan refugees in Pakistan on the ground that they had a sufficient nutritional level. In that regard, his Government believed that international assistance to Afghan refugees should continue until their repatriation was completed. Repatriation packages should be enlarged to induce Afghan refugees to return home and free transportation provided to them for repatriation, financed by UNHCR and organized by IOM. He urged non-governmental organizations to continue to provide invaluable assistance in the rehabilitation and reintegration of Afghan refugees once they returned to Afghanistan.

Mr. MALGUINOV (Russian Federation) said that the UNHCR report (E/1996/52 and Corr.1) underlined the need for countries of origin to establish the necessary conditions for the voluntary and safe return of refugees and for practical measures to ensure the rights of minorities, protect stateless persons

and eliminate discrimination against permanent resident aliens. His delegation supported the efforts of UNHCR to increase preparedness for emergency situations and promote capacity-building through coordination of the roles of the humanitarian agencies.

An integrated regional approach to the solution of the problems of refugees and forced migration was essential. To that end, a conference on the problems of refugees, returnees, displaced persons and other forms of involuntary displacement in the CIS and relevant neighbouring States had been held in Geneva in May 1996. The decisions taken at that conference provided an important instrument for the prevention of new flows of refugees and immigrants and the management of migration processes. The final document of the conference defined an overall approach to migration problems, based on respect for human rights and elimination of discrimination on the grounds of nationality, origin and citizenship. An important result of the conference had been the sympathetic approach of the international community to the problems of the CIS countries and a readiness on its part to assist in finding solutions to those problems. His Government was in the process of elaborating priority projects to reduce migration flows and hoped that the impetus of the conference would encourage other participants to support that effort.

His delegation urged other conference participants to respond favourably to the first appeal of UNHCR and IOM, launched at the end of June 1996, relating to the most urgent pilot projects of the countries of the region. The success of those projects would determine the fate of the other decisions taken at the conference. In general, his delegation shared the view that humanitarian agencies, including UNHCR, could not and should not replace crisis prevention and management efforts, but that a judicious strategy of preventive measures would significantly help to avert negative developments and stabilize the international environment.

Mr. GUBARREVICH (Belarus) said his Government was greatly concerned by the high number of refugees and illegal and legal transit migrants in his country. It had given priority in its migrant policies to adopting legislation on immigration control which ensured freedom of movement and selection of place of residence and to assisting of the integration of returnees. Increased international cooperation and assistance were prerequisites for finding solutions to the problems of refugees and migrants, and his Government had been

actively involved in the preparation of the recent conference convened in Geneva to discuss refugees in the CIS countries.

The efforts of UNHCR to prepare and train national experts and to elaborate refugee support programmes, including legal assistance, were much appreciated. His Government was interested in the establishment in Belarus, under the auspices of UNHCR, of a permanent regional centre on migration and refugee problems for the countries of Eastern Europe.

Mrs. BENNAMI (Observer for Morocco) welcomed the UNHCR report (E/1996/52 and Corr.1) but reiterated her Government's reservations regarding the number of refugees given in its paragraph 184. The figure of 165,000 refugees in Western Sahara had never been verified by UNHCR through a census. The United Nations Mission for the Referendum in Western Sahara (MINURSO) had estimated a maximum of 65,000 refugees including children. Moreover, according to various sources, that number would be significantly reduced once the conditions for the identification had been fulfilled.

Mrs. MESDOUA (Observer for Algeria) said that it was up to the identification commission to present figures on the number of refugees in Western Sahara and that the Council was not an appropriate forum in which to raise political and decolonization issues under consideration by the Security Council and the Fourth Committee of the General Assembly.

The PRESIDENT suggested that the Council should take note of the various reports submitted under item 5 (a), namely, the report of the Secretary-General on assistance for the reconstruction and development of Lebanon in document E/1996/65 and the oral reports on assistance to: Madagascar; Somalia; Yemen; refugees, returnees and displaced persons in Africa; and the drought-stricken areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda.

It was so decided.

The PRESIDENT suggested that the Council should take note of the report submitted under item 5 (i) by the United Nations High Commissioner for Refugees (E/1996/52 and Corr.1).

It was so decided.

The meeting rose at 5.55 p.m.

UNITED
NATIONS

E

Economic and Social Council

PROVISIONAL

E/1996/SR.43
21 January 1998

ORIGINAL: ENGLISH

Substantive session of 1996

PROVISIONAL SUMMARY RECORD OF THE 43rd MEETING

Held at Headquarters, New York,
on Monday, 22 July 1996, at 10 a.m.

President: Mr. GERVAIS (Côte d'Ivoire)

CONTENTS

COORDINATION QUESTIONS (continued)

(b) INTERNATIONAL COOPERATION IN THE FIELD OF INFORMATICS (continued)

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued)

(a) SPECIAL ECONOMIC, HUMANITARIAN AND DISASTER RELIEF ASSISTANCE (continued)

(e) ADVANCEMENT OF WOMEN

(f) SOCIAL DEVELOPMENT QUESTIONS

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

96-80968 (E)

/...

The meeting was called to order at 10.20 a.m.

COORDINATION QUESTIONS (continued) (E/1996/L.27)

(b) INTERNATIONAL COOPERATION IN THE FIELD OF INFORMATICS (continued)

Mr. KOVANDA (Czech Republic), introducing draft resolution E/1996/L.27 on the need to harmonize and improve United Nations informatics systems for optimal utilization and accessibility by all States, said that Bulgaria and the Dominican Republic had joined its sponsors. While substantial progress had been achieved in improving access to United Nations information systems and databases the situation was still far from ideal. Accordingly, it was proposed that the Ad Hoc Open-ended Working Group should continue for one more year.

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued) (E/1996/L.28)

(a) SPECIAL ECONOMIC, HUMANITARIAN AND DISASTER RELIEF ASSISTANCE (continued)

Mr. HAMDAN (Lebanon), introducing draft resolution E/1996/L.28 on assistance for the reconstruction and development of Lebanon, said that Brazil, China and Syria should be added to the list of sponsors. He hoped that the draft resolution could be adopted by consensus.

(e) ADVANCEMENT OF WOMEN (A/51/16 (Part I), A/51/38; E/1996/16, E/1996/26, E/1996/39, E/1996/56, E/1996/71, E/1996/82; E/1996/NGO/3 and NGO/6)

Ms. KING (Director, Division for the Advancement of Women) introducing the report of the Administrative Committee on Coordination (E/1996/16) which contained the proposed system-wide medium-term plan for the advancement of women, said that the plan would be crucial in mobilizing the United Nations system behind the Beijing Declaration and Platform for Action. The revised plan, which should be read in conjunction with the comments of the Commission on the Status of Women (contained in its resolution 40/10 and annex) and those of the Committee for Programme and Coordination, contained in document E/AC.51/1996/L.5/Add.34, followed the structure of the Platform for Action and incorporated gender-related recommendations coming from other global conferences. Its main purpose was to serve as an instrument for promoting a coordinated system-wide implementation of the Platform for Action, by providing

a basis for improved coordination of activities in mainstreaming of the gender perspective, and a baseline for monitoring the progress made in that regard.

The Council also had before it the report of the Secretary-General on ways and means to enhance the capacity of the Organization and the United Nations system to support the ongoing follow-up to the Fourth World Conference on Women, (E/1996/82) which detailed steps taken by subsidiary bodies of the Council to deal with the question as well as actions taken at the inter-agency level.

Finally, the Council also had before it an interim report on violence against women migrant workers (E/1996/71) which contained the recommendations of an expert group meeting convened in Manila in May 1996.

Ms. DUENAS LOZÁ (Acting Director, International Research and Training Institute for the Advancement of Women (INSTRAW)), introducing the report of the Board of Trustees of the International Research and Training Institute for Women, contained in document E/1996/56, said that the research carried out by INSTRAW since its establishment 20 years earlier had brought about an important evolution in the understanding of the main obstacles to the advancement of women. Such issues as recognition of the social and economic value of the non-remunerated work performed by women, gender disaggregated data, the relationship between the status of women and their access to natural resources and the relationship between social insecurity and women's migration had currently been incorporated into the everyday work of institutions within the United Nations system.

Finally, recalling that women still comprised 70 per cent of the world's poorest and two thirds of the world's illiterate, she said that in order to mainstream the concept of gender in all social sectors, and not just in the industrialized countries, it was essential to bear in mind the following few criteria: empowerment, equality, productivity and sustainability.

Mrs. CASTRO de BARISH (Costa Rica), speaking on behalf of the Group of 77 and China, said that those States reiterated their commitment to the implementation of the Platform for Action adopted at the Fourth World Conference on Women. One of the most important factors in its implementation was the mobilization of new and additional resources. The follow-up to the Conference should be undertaken on the basis of an integrated approach to the advancement of women, within the framework of coordinated follow-up to the results of major international conferences in the economic, social and related fields, as well as

the overall responsibilities of the General Assembly and the Economic and Social Council. The Commission on the Status of Women should act as a catalyst in support of mainstreaming a gender perspective in policies and programmes. The Platform for Action should be implemented through the work of all parts of the United Nations system during the period 1995-2000, and in addition, those institutions especially devoted to the advancement of women should review their programmes of work in its light. Since non-governmental organizations had traditionally played an important role in the advancement of women, their participation in the implementation process should be encouraged.

Finally, turning to draft resolution II in the report of the Commission on the Status of Women, she said that the Group supported the work programme outlined in section IV and reiterated its support for the regional dimension, referred to in section V.

Mr. BIGGAR (Ireland), speaking on behalf of the European Union, expressed the hope that the Council would contribute to the follow-up on the Beijing Conference by adopting the mainstreaming of the gender perspective within the United Nations system as a common theme for discussion at its 1997 coordination segment. Given the importance of resources for the follow up to the Beijing Conference, the European Union looked forward to the Secretary-General's proposals in that regard.

Turning to the report of the Commission on the Status of Women (E/1996/26), he said that the Union supported the adoption of draft resolution II, which, inter alia, established a framework for the functioning of that body, and the agreed conclusions (1996/1) concerning the Commission's methods of work. Those new methods of work had already proved positive.

At the same time he believed that more time should be devoted to panel discussions and less to the general debate. The Bureau should select a relatively small number of panellists and offer inter-sessional briefings on priority themes for short and focused discussions. Secretariat reports should be action-driven, providing specific recommendations and should be communicated to the Commission and others at an early stage. The Secretariat should allocate adequate time for discussion of draft conclusions, and should include recommendations in its reports to facilitate the formulation of agreed conclusions. More thought should be given, too, to ways of including civil society in Commission debate.

The European Union supported the renewal of the mandate of the Open-Ended Working Group on the Elaboration of a Draft Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, believing that all States should participate actively, in its work and that it should be allowed to hold formal meetings, supported by full conference services.

The Union also supported the Council's adoption of the proposed system-wide medium-term plan for the advancement of women, 1996-2000, and hoped that the newly created Inter-Agency Committee on Advancement and Employment of Women would reflect the cross-cutting nature of gender issues in its objectives and activities.

As INSTRAW continued its review process, it should seek to improve its cooperation with other parts of the United Nations system, focusing on issues central to its mandate and providing more detailed analyses of its activities. It was essential that INSTRAW should have the requisite informational and human resources to reflect its research and training functions.

Ms. HOLIKOVA (Czech Republic) said that the Platform for Action and the Beijing Declaration should be viewed as the key instruments for achieving progress in the advancement of women and mainstreaming their human rights. The Czech Republic had turned to those instruments as a guide to future goals and ways of addressing existing problems. The functional commissions and other relevant bodies should do their part to ensure greater harmonization and coordination of work, particularly with regard to women and poverty.

Mrs. LIMJUCO (Philippines) said that women represented a growing proportion of unprotected migrant workers on the international labour market. The expert group meeting on violence against women migrant workers, held in Manila in May 1996, had recognized the need for a specific analysis of the human rights of such workers in order to identify and categorize the abuses they suffered. The final report of the expert group meeting should concentrate on the victimization of women migrant workers and on means of protecting the rights of such workers.

Mr. COLOMA (Chile) said that the medium-term plan for women should refer explicitly to the relationship that should exist between the Commission on the Status of Women and the revitalized Commission on Social Development, calling on the two to work together to develop an integrated gender perspective on United Nations activities for poverty eradication.

Chile welcomed the establishment of the new Inter-Agency Committee on women to ensure integrated follow-up to Beijing and Copenhagen, and supported the work of the related task forces and agencies seeking to advance the cause of women at the regional and country levels. It hoped that the medium-term plan would incorporate the comments of the Council, the Administrative Committee on Coordination (ACC) and the Commission on the Status of Women.

Ms. GORDON (Jamaica) said that the reports before the Council clearly demonstrated the intensive and challenging nature of the Beijing follow-up process, and the need for ongoing commitment to it. Jamaica would continue to support efforts by United Nations agencies and bodies, particularly in the areas of women and poverty, education and training, violence against women and children and inequality in power-sharing and decision-making. The medium-term plan for women should be adopted, taking into account the comments of ACC and the Commission on the Status of Women.

Mrs. SANDRU (Romania) informed the Council that Romania would host a subregional conference in September 1996, aimed at appraising the implementation of the Beijing Platform for Action in Central and Eastern Europe. The conference would focus on three main themes: national plans of action, national capacity-building for the advancement of women and enlistment of non-governmental organizations and civil society in the follow-up process. Participants from a range of governmental and non-governmental institutions would be invited, with a view to mainstreaming the gender perspective in the democratic reforms of Central and Eastern Europe.

Ms. ACUNER (Observer for Turkey) said that the report of ACC on the proposed medium-term plan for the advancement of women (E/1996/16) was rather too broad in its terms of reference and should have outlined the specific tasks to be accomplished by each agency in the four main action areas.

Additional funding should be provided to the main women's organizations in the United Nations, while any institutional change required for the follow-up activities should be made within the framework of the overall restructuring of the United Nations system. INSTRAW, which had skilfully managed its limited resources, should also report to the Second Committee on issues concerning the environment, migration and natural resources.

Ms. PARK (Observer for the Republic of Korea) said that the Commission on the Status of Women should act as a catalyst in mainstreaming the gender

perspective in policies and programmes. The Commission was to be praised for its innovative approach to including civil society in its work, which should help sharpen its focus on practical action.

Violence against women, particularly sexual abuse and abuse in conflict situations, continued to represent one of the most flagrant violations of women's basic rights. It was encouraging to note that the United Nations had appointed a special rapporteur on that subject, and that the Commission on the Status of Women had adopted resolution 40/3 concerning the mainstreaming of women's rights.

With regard to the feminization of poverty, the international community and financial institutions should assist developing countries in their efforts to eliminate that phenomenon.

While the United Nations should integrate the gender perspective in all of its activities, Governments, too, needed to address that issue by looking at the composition of delegations which they sent to various international forums.

Mr. TELLES RIBEIRO (Brazil) said that the best way of measuring how much support there really was for United Nations efforts on behalf of women was to look at what individual countries were doing to advance women's rights within their own borders. Brazil had moved more quickly than it might have done, had there not been the studies and programmes prepared by the United Nations, to incorporate various directives and declarations on women's issues into its national constitution. Other Governments, too, aware of the growing interdependence between multilateral and national policy efforts, were making changes to their legislation that would affect the dynamics of their societies. Brazil was proud to be part of that process and looked forward to the challenges that lay ahead.

Ms. BOZHKOVA (Bulgaria) welcomed the innovative methods of work outlined in the agreed conclusions 1996/1 adopted by the Commission on the Status of Women, particularly those relating to the participation of experts outlined in paragraph 5. The general debate remained an important means for Governments to express their views on a variety of issues and enough time should therefore be set aside for it.

Her delegation shared the Commission's view that the organizations of the United Nations system must adopt an integrated approach to the implementation of the results of the recent global conferences. It believed, moreover, that

implementation of the outcomes of the five regional preparatory conferences which had preceded the Fourth World Conference on Women were essential to the implementation of the Platform for Action. Against that background, Bulgaria welcomed the establishment of an inter-agency committee on women as a means of promoting cooperation and coordination within the United Nations system in the implementation of the Platform for Action and the other gender-related recommendations emanating from the other global conferences. In that connection, also, the revised system-wide medium-term plan for the advancement of women, 1996-2001 should be implemented by all organizations of the United Nations system in the light of the relevant comments of the Commission on the Status of Women and the Committee for Programme and Coordination.

Ms. TAMLYN (United States of America) said that the Commission on the Status of Women's new programme of work and, in particular the proposal to invite more expert participation, had the potential to enhance the effectiveness of the Commission's work by fostering the free flow of ideas and experiences. Panel discussions should provide a forum for experts to discuss which approaches had succeeded and which ones had not. She hoped that Member States would include experts in their delegations to the Commission's forty-first session who could not only speak with authority during the substantive discussions but also return home to participate in the implementation of the Commission's recommendations.

The Commission had an important role to play in assisting Governments, non-governmental organizations and other organizations of the United Nations system in implementing the Platform for Action. Its activities should include monitoring the progress made and the problems encountered as well as identifying those areas in which further action was needed and trends that adversely affected the situation of women.

The United States supported the proposed merging of the United Nations Development Fund for Women (UNIFEM) with the International Research and Training Institute for the Advancement of Women (INSTRAW) since that would strengthen coordination of research and training activities while at the same time reducing administrative costs and serving as a model for similar initiatives in the context of the overall restructuring of the United Nations.

Mrs. KABA (Côte d'Ivoire) said that the Division for the Advancement of Women should ensure that the gender perspective was integrated into the

programmes and activities of the different organizations of the United Nations system at the national, regional and international levels. She noted that the Beijing Platform for Action had also called upon the United Nations organizations and the Bretton Woods institutions to incorporate the gender perspective into their respective programmes and strategies. She therefore deeply regretted the absence from the United Nations System-wide Special Initiative for Africa of any reference to the important role of women in poverty eradication. The Special Initiative had mentioned the role of women only in terms of food security, thereby neglecting the tremendous potential of African women to contribute to the implementation of the initiative and to participate in all aspects of the development of Africa.

Mr. KOZIY (Observer for Ukraine) said that the Beijing Declaration and Platform for Action were important instruments for improving the status of women in society at both the national and regional levels. The various organs of the United Nations system could contribute to the that goal through better coordination of their efforts on behalf of women. For its part, the Commission on the Status of Women could play a useful role in the development of policies for the implementation of the Platform for Action.

His delegation supported the proposed revised system-wide medium-term plan for the advancement of women, particularly since the bulk of the plan was geared towards developing countries and countries with economies in transition. In light of the current financial crisis, however, the plan must be funded from within existing resources.

Mr. KHRYSKOV (Russian Federation) said that the Commission on the Status of Women had done valuable work at its fortieth session to promote the implementation of the Platform for Action and to coordinate the activities of the United Nations system on behalf of women. It was important, however, that the documents emanating from United Nations organizations should contain practical recommendations that could be implemented at the national level. The United Nations should also issue periodic bulletins on the implementation of the recommendations of the global conferences at the country level.

The proposed system-wide medium-term plan for the advancement of women was a potentially valuable instrument for enhancing the status of women. In pursuit of that goal, the Government of the Russian Federation had enacted a series of

legislative instruments at both the federal and state levels and had established an independent commission to monitor their implementation.

Mr. AL-HITTI (Observer for Iraq) said that legislation currently in force in Iraq amply ensured that women enjoyed equal status with men. Iraq had ratified the Convention on the Elimination of All Forms of Discrimination against Women and the gender perspective had been integrated into the programmes and activities of Government agencies, particularly those working in the areas of health, education and social welfare. At the political level, there were currently more than 20 women members of the Iraqi parliament.

Tragically, however, the efforts of Iraq on behalf of women were severely undermined by the international blockade against the country, which had the greatest impact on the disadvantaged sectors of the society, including women, children and the elderly. The principles of equality and peace adumbrated at the Beijing conference could not be translated into reality until there was equality among States. UNICEF, FAO and other humanitarian agencies had confirmed that more than half a million children had died in Iraq because of the lack of food and medicine. Millions more continued to suffer from malnutrition and disease. Indeed the total deaths caused by the blockade exceeded the number of those killed in the bombing of Hiroshima. The blockade had thus become a weapon of mass destruction and an insult to mankind, despite the admonition contained in the Platform for Action that blockades should not be employed to halt the economic and social development of States and to deny their populations access to food and basic health services. The current situation facing Iraq was a denial of the civil rights of its population and a flagrant flouting of international human rights instruments.

He therefore appealed to the Council to consider the situation of the women and children of Iraq and to send them a message that they were not forgotten by the international community.

Mr. VARCHAVER (Inter-Parliamentary Union) said that the commitments undertaken at the Fourth World Conference on Women were national commitments and must therefore be implemented at the national level, including through parliamentary action. The Inter-Parliamentary Union (IPU) had participated in the preparatory process for the Beijing Conference and was currently working on the follow-up to the recommendations contained in the Platform for Action. The Union's actions included the launching of a new world survey on the

participation of women in political life, which should result by the end of the year in a world comparative study of women in political parties, women as actors in and beneficiaries of the electoral process, and women in parliament. A round table for the media was also being organized in New Delhi in February 1997 to examine the portrayal of women politicians in the media. In addition, the Union's upcoming meeting in Beijing would consider the issues of women as victims of poverty and the role of women in eradicating poverty.

Ms. SIBAL (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that UNESCO was undertaking a wide-ranging programme of activities in support of the proposed system-wide medium-term plan for the advancement of women, 1996-2001. In addition to the mainstreaming of a gender perspective in all programmes, special projects on women were being implemented in a variety of areas. As a result, the Organization's programme budget for the biennium 1996-1997 as it related to women and gender had been increased by 22 per cent over the previous biennium.

In terms of strategy, UNESCO would focus its actions on the following areas: women and poverty; women and education and training; women and health; violence against women; women in armed conflict, peace and conflict resolution; women in the economy; women in decision-making; mechanisms to promote the advancement of women; human rights of women; women and the media; and women and the environment.

Mrs. VAUGHN (Zonta International) said that Zonta International represented executive women all over the world in countries at varying levels of development. The organization was dedicated to the ideal of service and had a long history of collaboration with United Nations bodies. Zonta's stated priorities coincided with those of the Beijing Conference. It had implemented programmes to combat violence against women and children and tackle the problem of unequal access to health care and suppression of women's human rights. Zonta had also been instrumental in initiating projects designed to improve educational prospects for girls.

The PRESIDENT said that he took it that the Council wished to take note of the report of the Committee on the Elimination of Discrimination against Women (A/51/38), the report of the Administrative Committee on Coordination on the proposed system-wide medium-term plan for the advancement of women, 1996-2001 (E/1996/16), the note of the Secretary-General transmitting the report

of the Board of Trustees of the International Research and Training Institute for the Advancement of Women (E/1996/56), the report of the Secretary-General on violence against women migrant workers, including the report of the expert group (E/1996/71) and the report of the Secretary-General on progress made in implementation of the follow-up to the Fourth World Conference on Women and on ways to enhance the capacity of the United Nations to support follow-up (E/1996/82).

Mr. REZVANI (Islamic Republic of Iran) said that although it was stated in the preface of document E/1996/16 that the comments of the Committee for Programme and Coordination had been taken into account, certain points of view mentioned in the draft and final reports of the Committee for Programme and Coordination (documents E/AC.51/1996/L.5/Add.34 and A/51/16 (Part I) respectively) had not found their way into document E/1996/16. Specifically, some delegations had suggested (E/AC.51/1996/L.5/Add.34, para.2) that the words "under parental supervision" should be inserted after the words "girls and boys" in the sixth line of paragraph 92 of document E/1996/16. That suggestion had not been reflected. In addition, certain delegations had objected strongly (E/AC.51/1996/L.5/Add.34, para. 3) to the term "individuals" as contained in paragraphs 71 and 93 of document E/1996/16, but the word had nevertheless been retained. Finally, although it was stated (E/AC.51/1996/L.5/Add.34, para. 26 and A/51/16 (Part I), para. 185) that activities relating to paragraph 243 (f) of the Beijing Platform for Action should be envisaged in the plan, no such reference had been made in paragraph 202 of document E/1996/16.

His delegation trusted that the Secretariat would be able to clarify the reason for the omissions and make the necessary corrections.

The PRESIDENT said that the Council took note of the remarks made by the representative of the Islamic Republic of Iran, and on that basis he took it that the Council wished to take note of the reports he had enumerated earlier.

It was so decided.

The PRESIDENT invited the Council to take action on the draft resolutions and draft decisions contained in the report of the Commission on the Status of Women (E/1996/26).

Draft resolution I: Palestinian women

At the request of the representative of the United States of America, a recorded vote was taken.

In favour: Argentina, Australia, Bangladesh, Belarus, Brazil, Bulgaria, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Czech Republic, Egypt, Finland, France, Gabon, Germany, Ghana, Greece, India, Indonesia, Ireland, Jamaica, Japan, Jordan, Luxembourg, Malaysia, Netherlands, Nicaragua, Paraguay, Philippines, Poland, Portugal, Romania, Senegal, South Africa, Sweden, Thailand, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Zimbabwe.

Against: United States of America.

Abstaining: Russian Federation.

Draft resolution I was adopted by 46 votes to 1, with 1 abstention.

Ms. TAMLYN (United States of America) said that her delegation did not believe that the Economic and Social Council was the appropriate forum to discuss issues which should be sorted out bilaterally by the various parties in the Middle East. In addition, the resolution failed to take account of the considerable progress that had been made in the region since the inauguration of the peace process.

Mr. AKBAR (Pakistan) said that, had he been present for the vote, he would have voted in favour of the draft resolution.

Ms. WONG (Australia) said that her Government was committed to supporting efforts to achieve a just and enduring peace in the Middle East on the basis of United Nations Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). Finding ways to implement those resolutions was in the fundamental interests of the parties themselves. Bilateral negotiations between Israel and the Palestinian Authority should be allowed to run their proper course without being pre-empted by any resolution before the Economic and Social Council. Her Government had reservations about some parts of the resolution which sought to pre-empt questions relating to the permanent status of Jerusalem and the return of refugees. While her government supported, in principle, the right of Palestinians to return or to receive compensation, the question should nevertheless be addressed in the context of an overall peace settlement.

The basic aspiration of the resolution which the Council had just adopted was to establish a just and lasting peace in the Middle East; for that reason

her Government had supported it while reserving its position on certain aspects of its wording.

Mr. TENNE (Observer for Israel) said that the resolution just adopted had more to do with Middle Eastern politics than it did with the rights of Palestinian women. The United Nations was not an appropriate forum to deal with the issues raised by the resolution. Direct talks between the parties were the only effective means of sorting out the region's problems.

Draft resolution II: Follow-up to the Fourth World Conference on Women

Draft resolution II was adopted.

Draft decision I: Renewal of the mandate of the Open-ended Working Group on the Elaboration of a Draft Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

Draft decision I was adopted.

Draft decision II: Report of the Commission on the Status of Women on its fortieth session and provisional agenda and documentation for the forty-first session of the Commission

Draft decision II was adopted.

(f) SOCIAL DEVELOPMENT QUESTIONS (E/1996/29, E/1996/NGO/5, E/1996/CRP.2)

Mr. KRASSOWSKI (Division for Social Policy and Development), recalling that, in its resolution 50/107, the General Assembly had invited the Administrative Committee on Coordination to submit to the Assembly via Council reports on activities envisaged in support of the Decade for the Eradication of Poverty, drew attention to the Annual overview report of the Administrative Committee on Coordination for 1995 (E/1996/18), the report of the Secretary-General on coordination of the activities of the United Nations system for the eradication of poverty (E/1996/61) and the background information note E/1996/CRP.2.

Mr. BIGGAR (Ireland), speaking on behalf of the European Union, said that the European Union was pleased that the draft resolution which the Commission for Social Development was recommending to the Council for adoption, contained a multi-year programme of work providing for comprehensive consideration of themes particularly relevant to the Commission's responsibility for the follow-up to and review of the implementation of the World Summit for Social Development.

The European Union welcomed the new framework for the functioning of the Commission set out in the draft resolution and noted with satisfaction that the

Commission had reiterated its invitation to the Secretary-General to consult with the United Nations Funds and Programmes and relevant international organizations, particularly the International Labour Organization and the Bretton Woods institutions, on how they might cooperate in the implementation of the Programme of Action of the World Summit for Social Development.

The European Union also welcomed the changes in the methods of work of the Commission and the efforts that had been made to stimulate an informal dialogue within the Commission. The role of civil society in the follow-up and implementation process was very important as was the proposal that non-governmental organizations should be encouraged to participate in the work of the Commission and in monitoring the implementation process to the maximum extent possible.

The annualization of the Commission's meetings in the context of the agreed multi-year programme would facilitate intensified consideration of the issues involved in the follow-up to the World Summit for Social Development, and his delegation trusted that the proposed changes in the composition of the Commission would have the same effect. Governments that were members of the Commission should demonstrate the fullest possible commitment. In order to achieve that objective, Governments should whenever possible include in their delegations national experts on the themes under discussion.

The European Union believed that the Commission's secretariat should be strengthened to ensure that it could discharge its responsibilities effectively. The availability of timely, concise and action-orientated reports containing specific recommendations would also facilitate the Commission's work.

Ms. CASTRO de BARISH (Costa Rica), speaking on behalf of the Group of 77 and China, said that it had been decided that the Commission for Social Development would assist the Economic and Social Council in monitoring, reviewing and appraising the progress achieved and the problems encountered in the implementation of the Copenhagen Declaration and Programme of Action. The agenda and work programme of the Commission stressed the importance attached to the follow-up of the World Summit for Social Development. The multi-year work programme had made it necessary to hold sessions of the Committee on an annual basis. The Group welcomed the expansion of the membership of the Commission and the annualization of its meetings, and trusted that other delegations would demonstrate the necessary commitment to ensuring that the Commission could

fulfil its mandate in an efficient manner, thus contributing to the restructuring and strengthening of the United Nations.

The Group also endorsed the general requirement that United Nations documents should be kept concise, clear, analytical and timely, with a focus on relevant issues. The comments in the report of the Commission for Social Development regarding adjustment of working methods to ensure effective follow-up to the World Summit for Social Development and the smoother functioning of the bureau were of special interest to her delegation.

The regional dimension was particularly important, and the Group had been behind efforts to enhance the role of the regional commissions in addressing regional cooperation in the economic, social and related fields. Relevant programmes should involve capacity-building for science, technology and industrialization, development and utilization of natural resources and energy, infrastructure, communications, public sector reform and development of financial markets. In the process of strengthening collaboration between the United Nations system and the Bretton Woods institutions, the regional commissions should seek cooperative working relations with the relevant units of the international financial institutions.

The Group wished to draw the Council's attention to draft decision I, saying that the proposed support group would be extremely valuable to the Commission since it was a cost-free mechanism.

Mr. BIGGAR (Ireland) said that his delegation had been concerned at the late publication of the documentation relating to crime prevention and criminal justice; the Council should bear in mind that some delegations had not had enough time to prepare for the forthcoming discussion on that issue.

Ms. ESPINOSA (Mexico) said that her delegation was similarly concerned at the unavailability of the report of the Commission on Narcotic Drugs.

The meeting rose at 1.10 p.m.

UNITED NATIONS **E**

Economic and Social Council

PROVISIONAL

E/1996/SR.44
20 January 1998

ORIGINAL: ENGLISH

Substantive session of 1996

PROVISIONAL SUMMARY RECORD OF THE 44th MEETING

Held at Headquarters, New York,
on Monday, 22 July 1996, at 3 p.m.

President: Mr. GERVAIS (Côte d'Ivoire)

CONTENTS

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued)

(c) IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS

(d) HUMAN RIGHTS QUESTIONS

(f) SOCIAL DEVELOPMENT QUESTIONS (continued)

(e) ADVANCEMENT OF WOMEN (continued)

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

96-80977 (E)

The meeting was called to order at 3.30 p.m.

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued) (A/51/203-E/1996/86)

(c) IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (A/51/212; A/51/166-E/1996/67, A/51/171-E/1996/75; E/1996/85)

Mr. SAMANA (Papua New Guinea), Acting Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, said that the continuing cooperation of members of the Council, as well as the close working relationship which the Council, the Special Committee and organizations within the United Nations system had maintained through the years, had greatly contributed to bringing about concrete programmes of assistance beneficial to the peoples of the Non-Self-Governing Territories. The remaining Territories on the list to which the Declaration applied were small island Territories with small populations and limited natural resources. The General Assembly had reiterated in numerous resolutions that those factors should in no way prevent the peoples of those Territories from exercising their inalienable right to self-determination and independence in conformity with the Charter of the United Nations and the Declaration. While the Special Committee continued to adhere firmly to those principles, it realized that accelerated economic and social development could only contribute to the speedy implementation of the Declaration.

The Special Committee hoped that the Council would continue to review appropriate measures to coordinate the policies and activities of the United Nations system concerning the Territories. In general, the specialized agencies and organizations had continued to assist the peoples of the Non-Self-Governing Territories in response to relevant resolutions of the General Assembly, the Council and the Special Committee, in some cases from within their own budgetary resources. In addition, a number of assistance projects continued to be funded

by the United Nations Development Programme (UNDP) in close collaboration with agencies and organizations of the United Nations system.

During a regional seminar held at Port Moresby, Papua New Guinea, from 12 to 14 June 1996, the Special Committee had had an opportunity to hear the representatives of Non-Self-Governing Territories speak on various problems affecting their political, economic and social development and on the development options available to them. The issues discussed at the seminar had included: the problems of small, structurally open economies; food production; the development of financial management expertise; the implications for island Territories of issues pertaining to the environment and development; international and regional cooperation to mitigate the effects of natural disasters; the role of international and regional organizations in the development of the Territories; the access of Non-Self-Governing Territories to programmes and activities of the United Nations system; and areas in which regional cooperation needed to be strengthened. It had been recognized that, since most of the remaining Non-Self-Governing Territories were small islands with vulnerable ecosystems, the programmes of assistance should be formulated by the administering Powers in cooperation with UNDP and other relevant organizations, bearing in mind the specific needs of those Territories.

The small island Territories required increased assistance from all international institutions to prepare the people for the exercise of their right to self-determination. At the midpoint of the International Decade for the Eradication of Colonialism, it was time for a concerted international effort to fully achieve the goals set forth in the Declaration.

Mr. HAMDAN (Lebanon) said that his delegation endorsed the work of the Special Committee and believed that the elimination of colonialism should remain a top priority of the United Nations.

The PRESIDENT suggested that the Council should take note of the report of the President of the Council on consultations held with the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in document E/1996/85.

It was so decided.

(d) HUMAN RIGHTS QUESTIONS (A/51/41, A/51/189; E/1996/82 and Add.1, E/1996/87; E/1996/L.18 and Add.1)

Mr. AYALA-LASSO (United Nations High Commissioner for Human Rights), introducing the report of the United Nations High Commissioner for Human Rights in document E/1996/87, said that the fifty-second session of the Commission on Human Rights had been opened by the Secretary-General and attended by high-level Government representatives, including foreign ministers; there had been active participation of non-governmental organizations. The debate in the Commission had been marked by a spirit of consensus, and 90 per cent of its resolutions and decisions had been adopted without a vote, including resolution 1996/15 on the right to development and the decision to establish an intergovernmental group of experts to elaborate a strategy for the implementation and promotion of the right to development.

The promotion of the right to development was a high priority of the Office of the High Commissioner/Centre for Human Rights. In that connection, he had arranged a meeting in July 1996 with the executive secretaries of the regional commissions to discuss how the United Nations human rights programme and the work of the regional commissions could be coordinated to effectively promote the right to development. Other activities, including seminars and workshops, had been planned with a view to finding practical ways to implement the right to development at the national and international levels.

The cooperation between Governments and the High Commissioner for Human Rights and the United Nations human rights programme was a decisive factor in the worldwide efforts to make human rights a reality. The United Nations human rights programme was continuing its field work in Bosnia and Herzegovina and in Croatia and had recently established an office in Yugoslavia. It was providing human rights training for the international civilian police and the monitors of the Organization for Security and Cooperation in Europe, was assisting the High Representative responsible for civilian aspects of the peace implementation and was supporting the work of the Special Rapporteur and the expert in charge of the special process dealing with missing persons in the former Yugoslavia. His Office was closely following the situation in Burundi and had opened an office in Bujumbura in June 1994 which provided technical assistance and promoted human rights among various groups of Burundi society. The Human Rights Field Operation in Rwanda (HRFOR) was continuing its work and, since the withdrawal of

the United Nations Assistance Mission for Rwanda, had become the largest United Nations presence in the country. In accordance with the resolutions of the competent organs of the United Nations, his Office was continuing operations for the establishment of a field presence in Abkhazia, Georgia, and in Colombia and Zaire. He commended the countries, including South Africa, Mexico and Tunisia, which had contributed funds earmarked for human rights field activities.

Several international meetings relevant to human rights, including the second United Nations Conference on Human Settlements (Habitat II), the Conference on Refugees, Returnees, Displaced Persons and Related Migratory Movements within the Commonwealth of Independent States and Relevant Neighbouring States and the Third Annual Meeting of Special Rapporteurs/ Representatives/Experts and Chairmen of the Working Groups of the Commission on Human Rights, had made significant contributions to the human rights debate. His Office had recently supported the participation of 25 of the leading human rights education experts from all regions in a seminar organized by the Government of Costa Rica to discuss practical recommendations for the implementation of the plan of action of the United Nations Decade for Human Rights Education.

In the context of system-wide savings measures, the regular budget resources available to the United Nations human rights programme had been reduced by $2.6 million in both post and non-post items. The effectiveness of that programme depended on an adequate and reliable mix of regular resources and voluntary contributions. He appealed to the international community to take advantage of the fiftieth anniversary of the Universal Declaration of Human Rights to give a new impetus to the promotion and protection of human rights.

Mrs. CASTRO de BARISH (Costa Rica) commended the work of the United Nations High Commissioner for Human Rights and said that her delegation shared his views on the importance of dialogue with Governments. To that end, her Government had organized a seminar on the pedagogical foundations of human rights education, bringing together experts in the field of human rights education.

(f) SOCIAL DEVELOPMENT QUESTIONS (continued) (E/1996/29; E/1996/NGO/5; E/1996/CRP.2)

Ms. GORDON (Jamaica) said that her delegation supported the draft resolution which the Commission for Social Development was recommending for

adoption by the Council concerning follow-up to the World Summit for Social Development and the future role of the Commission for Social Development. The provisions relating to the membership, frequency and duration of sessions of the Commission were a logical extension of the expanded mandate entrusted to it by the Council, which should therefore adopt the draft resolution.

Document E/1996/29 demonstrated that the Commission had already begun seriously to address its responsibilities with respect to the implementation of the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development. The most tangible way in which delegations could demonstrate support for progress in the field of social development was by including experts among their members and by actively participating in the Commission's sessions. Future debate on social development questions should focus on strategies for addressing the problems identified.

Ms. PARK (Observer for the Republic of Korea) said that the ambitious goals established at the World Summit for Social Development could be realized only if the commitments and initiatives agreed upon at the Summit were implemented through the consolidated efforts of Governments and the international community. To that end, the interaction between the General Assembly, the Council and the Commission for Social Development must be further coordinated and strengthened and her delegation therefore welcomed the draft resolution adopted by the Commission at its special session. However, it was disappointed at the number of seats allocated to Asian countries, which should not be considered a precedent for membership distribution in other United Nations organs. Her delegation welcomed the initiative to open debate in the Commission to experts and actors of civil society, as they would make a positive contribution to the Commission's work.

Her delegation supported Commission resolution S-1996/1 on strategies and actions for the eradication of poverty. The goals of poverty eradication and the promotion of economic and human development must be pursued simultaneously. Particular attention should be paid to the impact of rapid globalization and increased trade liberalization on various sectors of society and on the developing countries. The goal of poverty eradication called for broad-based development policies, the mobilization of resources through the coordinated efforts of developed and developing countries, and decisive international action.

Ms. VON ROEMER (International Confederation of Free Trade Unions (ICFTU)) said that the International Confederation attached great importance to the role of the Commission for Social Development in the implementation of the Copenhagen Declaration and Programme of Action. It had participated in the Commission's special session and was pleased that innovative work methods, such as panel discussions, had been used. However, in view of the high hopes raised by the World Summit for Social Development, which thus far had been largely unfulfilled, ICFTU was disappointed that the Commission had not adopted more action-oriented conclusions on the question of the eradication of poverty. The terms of reference of the Commission in the draft resolution before the Council, which included practical measures aimed at furthering the recommendations of the Summit, gave reason to hope that the Commission would be able to carry out its crucial functions in that regard.

ICFTU looked forward to the 1997 session of the Commission, which would focus on productive employment and sustainable livelihoods. It hoped that, pursuant to paragraph 25 (b) of the draft resolution recommended to the Council, experts from the trade union movement would be included in the panels to be selected and in government delegations. That would make the effective partnership between Governments and the relevant actors of civil society called for in paragraph 8 a reality.

In conclusion, she said that ICFTU welcomed the remarks at the preceding meeting by the representative of Ireland, speaking on behalf of the States members of the European Union, concerning the role of the International Labour Organization (ILO) at the Commission's next session.

Mr. GABOURY (World Federation of Trade Unions (WFTU)) said that the changes taking place in the international environment were arguably the most fundamental redesign of the world's political and economic arrangements since the industrial revolution. In the name of deregulation and harmonization, governance was being transferred from nations to transnational corporations, whose gross revenues in many cases exceeded the gross domestic product of all but a handful of countries. Since the end of the Gulf War, much had been heard about a "new world order", while in reality there was nothing new and little order. Instead, the world was witnessing the return of attempts by multinational corporations, aided by compliant Governments and the Bretton Woods institutions, to fasten the noose of exploitative relations around the entire

globe. The biggest losers were working people, and the World Federation trusted that the Council's mandate included speaking and acting in defence of their interests. WFTU did not look forward to a "globalization" wherein the fortunes of the fortunate were enhanced at the expense of the unfortunate.

The dramatic events in the political, social and economic fields during the past decade - and the attendant profound economic and social crisis - provided valuable lessons. Follow-up activities to the World Summit for Social Development should include an examination of the shock therapy treatment that had been imposed on the economies in transition. Consideration also should be given to the impact of the structural adjustment policies which had been imposed by the International Monetary Fund on developing countries, often contributing to a situation in which health care, education and, sometimes, food were beyond the reach of hundreds of millions of people.

The United States-sponsored blockade of Cuba and the imposition of sanctions against third parties under the Helms-Burton Act constituted violations of international trade law and a gross violation of the principles enshrined in the Charter of the United Nations. All nations must respect those principles. Only in that way would the commitments undertaken at Copenhagen be achieved, thus giving meaning to the International Year and the United Nations Decade for the Eradication of Poverty.

Mr. KOZIY (Observer for Ukraine) said that the Commission for Social Development should play a key role in developing policies and coordinating and monitoring the implementation of the decisions adopted at the World Summit for Social Development. With regard to the draft resolution which the Commission recommended to the Council for adoption, his delegation attached particular importance to the involvement of relevant groups and experts in the follow-up to the Summit and agreed that consultations should be held with the Administrative Committee on Coordination, the Bretton Woods institutions, ILO and the United Nations funds and programmes for the purpose of enhancing cooperation in the implementation of the Copenhagen Declaration and Programme of Action. The methods of work of the Commission would benefit from the convening of open-ended informal consultations. With respect to documentation, he said that the submission of high-quality documents by the Secretariat in a timely fashion was very important for the Commission's work. The question of the membership of the

Commission and the periodicity of its sessions should be discussed within the framework of the reform of the United Nations system.

Greater attention should be devoted to strengthening mechanisms for cooperation among the agencies of the United Nations system in order to avoid duplication of work and enhance the efficient use of human and financial resources, particularly in the light of the serious financial crisis facing the United Nations.

The PRESIDENT invited the Council to take action on the draft resolution entitled "Follow-up to the World Summit for Social Development and the future role of the Commission for Social Development", the programme budget implications of which were set forth in annex IV to the report of the Commission (E/1996/29).

Mr. SHAPIRO (United States of America) requested a recorded vote on paragraphs 16 and 17 of the draft resolution and on the text as a whole.

Mr. HAMDAN (Lebanon), speaking in explanation of vote before the voting, said that although his delegation would vote in favour of paragraph 16, it was disappointed that only 10 seats had been allocated to Asian States, a provision that should not set a precedent for the future allocation of seats for regional groups in the United Nations.

A recorded vote was taken on paragraph 16 of the draft resolution.

In favour: Argentina, Bangladesh, Brazil, Bulgaria, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Czech Republic, Egypt, Finland, France, Gabon, Germany, Greece, Guyana, India, Indonesia, Ireland, Jamaica, Jordan, Lebanon, Luxembourg, Malaysia, Netherlands, Nicaragua, Pakistan, Paraguay, Philippines, Poland, Portugal, Romania, Senegal, South Africa, Sweden, Thailand, Togo, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Zimbabwe.

Against: United States of America.

Abstaining: Australia, Belarus, Japan, Russian Federation.

Paragraph 16 of the draft resolution was adopted by 46 votes to 1, with 4 abstentions.

A recorded vote was taken on paragraph 17 of the draft resolution.

In favour: Argentina, Bangladesh, Brazil, Bulgaria, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Egypt, Finland, France, Gabon, Germany, Greece, Guyana, India, Indonesia, Ireland, Jamaica, Jordan, Lebanon, Luxembourg, Malaysia, Nicaragua, Pakistan, Paraguay, Philippines, Poland, Portugal, Romania, Senegal, South Africa, Sweden, Thailand, Togo, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Zimbabwe.

Against: United States of America.

Abstaining: Australia, Belarus, Czech Republic, Japan, Netherlands, Russian Federation.

Paragraph 17 of the draft resolution was adopted by 44 votes to 1, with 6 abstentions.*

Mr. SHAPIRO (United States of America), speaking in explanation of vote before the voting, said that his delegation would be unable to support the draft resolution because it was inconsistent with efforts to reform the United Nations and rein in expenditures. It was unnecessary to increase the membership of the Commission; there was no demonstrated need for the Commission to meet annually to accomplish its work; nor was there any evidence that the member States were prepared to upgrade their participation in the Commission so as to give more substance to its deliberations.

A recorded vote was taken on the draft resolution as a whole.

In favour: Argentina, Australia, Bangladesh, Belarus, Brazil, Bulgaria, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Czech Republic, Egypt, Finland, France, Gabon, Germany, Ghana, Greece, Guyana, India, Indonesia, Ireland, Jamaica, Japan, Jordan, Lebanon, Luxembourg, Malaysia, Netherlands, Nicaragua, Pakistan, Paraguay, Philippines, Poland, Portugal, Romania, Russian Federation, Senegal, South Africa, Sweden, Thailand, Togo,

* The delegation of the Netherlands subsequently informed the Council that it had intended to vote in favour of the paragraph.

Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Zimbabwe.

Against: United States of America.

Abstaining: None.

The draft resolution was adopted by 51 votes to 1.

Mr. GUBAREVICH (Belarus), said that his delegation favoured strengthening the ability of the Commission to carry out its responsibilities with respect to the follow-up to the World Summit for Social Development. To that end, the Commission should make better use of available resources and improve its methods of work. Any reforms should be financed from existing resources. Accordingly, although his delegation supported most of the provisions of the resolution just adopted relating to the role of the Commission and the enhancement of its effectiveness, it had not agreed that its membership should be increased or that it should hold more frequent sessions.

Ms. SAIGA (Japan) said that her delegation had voted in favour of the draft resolution as a whole but had abstained in the votes on paragraphs 16 and 17. Her delegation agreed that the Commission should be revitalized and strengthened so that it could better fulfil its responsibilities concerning the follow-up to the Copenhagen Summit. Those goals should be attained through rationalization and improved methods of work, not by increasing the number of members or holding more frequent sessions.

At a time of budgetary difficulties, it was particularly important to carefully consider financial implications of proposed institutional arrangements, since they could affect future activity. In her delegation's view, the draft resolution must be implemented using existing resources. In conclusion, she pledged her delegation's continued commitment to the work of the Commission.

Ms. WONG (Australia) said that her delegation supported the outcome of the Copenhagen Summit and had voted in favour of the draft resolution as a whole. It would have supported paragraphs 16 and 17 if assurances had been provided that the costs of their implementation would be absorbed within existing resources.

The PRESIDENT invited the Council to take action on draft decision I entitled "Establishment of a support group to assist the Commission for Social Development in the preparations for the International Year of Older Persons

in 1999" (E/1996/29, chap. I.B). The draft decision had no programme budget implications. He took it that the Council wished to adopt the draft decision.

It was so decided.

The PRESIDENT drew attention to draft decision II entitled "Report of the Commission for Social Development on its special session of 1996 and provisional agenda and documentation for the thirty-fifth session of the Commission" (E/1996/29, chap. I.B). He took it that the Council wished to take note of the report of the Commission for Social Development on its special session of 1996.

It was so decided.

The PRESIDENT said he took it that the Council approved the provisional agenda and documentation for the thirty-fifth session of the Commission as set out in draft decision II.

It was so decided.

(e) ADVANCEMENT OF WOMEN (continued) (A/51/16 (Part I), A/51/38; E/1996/16, E/1996/26, E/1996/39, E/1996/56, E/1996/71, E/1996/82; E/1996/NGO/3 and NGO/6)

Mr. GUBAREVICH (Belarus) said that his delegation believed that the Commission on the Status of Women should be the main coordinating mechanism for the implementation of the Platform for Action of the Fourth World Conference on Women, and that its role should be strengthened through the more effective use of existing resources and the development of new methods of work. His delegation welcomed the practice of inviting experts to participate in the substantive debate on selected issues but stressed the need to take into account the principle of equitable geographical distribution in the selection of experts. It supported resolution 40/9, and in particular the recognition in paragraph 16 that the implementation of the Platform for Action in the countries with economies in transition would require continued international cooperation and assistance, in support of national efforts. The specialized agencies should proceed to implement that provision and the decisions of other international forums on assistance to the countries with economies in transition.

Belarus supported the establishment of an international database on violence against women combining material from published and other sources.

Ms. ZHANG Feng Kun (China) said that her delegation fully supported the statement made on behalf of the Group of 77 and China. With regard to the

working methods of the Commission on the Status of Women, her delegation felt that the general debate in the Commission was very important and provided an opportunity for delegations from many countries to make statements; the length of that debate should not be shortened. Her delegation hoped that the Commission would devote greater attention to the question of poverty among women, since that issue was of great interest to the international community. Since non-governmental organizations made significant contributions to the work of the Commission, the Council should provide assistance to non-governmental organizations from developing countries so as to enable them to attend meetings of the Commission.

Sister Mary Theresa PLANTE (Franciscans International) said that there were more than 1 million Franciscan women and men in almost every country of the world. They followed a tradition begun by Saint Francis of Assisi, who had emphasized a simple lifestyle, direct service to the poor and needy, a love of creation and a firm commitment to peace among all peoples.

Referring to the report of the Administrative Committee on Coordination (E/1996/16), Franciscans International endorsed the statement, in paragraph 60, that, in countries where women were seriously disadvantaged, 60 per cent of country programme resources should be used to increase girls' attendance at school to 50 per cent. In connection with paragraph 234, it believed that the preference for sons should be addressed directly as a harmful attitude and practice and should be linked with female infanticide. The so-called "free market", which relied on unsustainable first world consumption, unregulated transnational corporations, maquiladoras or virtual slave labour, and a third world debt based largely on military spending, and which had produced a worldwide recession, needed to be critically re-examined. Within the parameters of the research on the effects of the internationalization and globalization of economies referred to in paragraph 131, a critique of the free market system itself should be carried out so as to contribute to the formulation of world economies that were sustainable.

The meeting rose at 5 p.m.

UNITED
NATIONS

E

Economic and Social Council

PROVISIONAL

E/1996/SR.45
21 January 1998

ORIGINAL: ENGLISH

Substantive session of 1996

PROVISIONAL SUMMARY RECORD OF THE 45th MEETING

Held at Headquarters, New York,
on Tuesday, 23 July 1996, at 10 a.m.

President: Mr. GERVAIS (Côte d'Ivoire)

CONTENTS

COORDINATION QUESTIONS (continued)

(c) JOINT AND CO-SPONSORED UNITED NATIONS PROGRAMME ON HUMAN IMMUNODEFICIENCY VIRUS/ACQUIRED IMMUNODEFICIENCY SYNDROME (continued)

ECONOMIC AND ENVIRONMENTAL QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued)

(h) INTERNATIONAL DECADE FOR NATURAL DISASTER REDUCTION (continued)

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued)

(a) SPECIAL ECONOMIC, HUMANITARIAN AND DISASTER RELIEF ASSISTANCE (continued)

(g) CRIME PREVENTION AND CRIMINAL JUSTICE

(h) NARCOTIC DRUGS

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

/...

96-80986 (E)

The meeting was called to order at 10.30 a.m.

COORDINATION QUESTIONS (continued) (E/1996/L.34)

(c) JOINT AND CO-SPONSORED UNITED NATIONS PROGRAMME ON HUMAN IMMUNODEFICIENCY VIRUS/ACQUIRED IMMUNODEFICIENCY SYNDROME (continued)

Mr. ACEMAH (Uganda), introducing draft resolution E/1996/L.34 entitled "Report of the Joint and Co-Sponsored United Nations Programme on the Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome", said that Italy, Kenya, South Africa and Thailand had joined the list of sponsors. Since lack of adequate resources had proved a major constraint in the fight against the disease, the sponsors of the draft resolution trusted that the appeal made in operative paragraph 6 would receive the positive response it deserved.

ECONOMIC AND ENVIRONMENTAL QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued) (E/1996/L.35)

(h) INTERNATIONAL DECADE FOR NATURAL DISASTER REDUCTION (continued)

Mrs. CHAVES (Costa Rica), speaking on behalf of the Group of 77 and China, introduced draft resolution E/1996/L.34 entitled "International Decade for Natural Disaster Reduction", which, inter alia, called for the integration of the Yokohama Strategy and Plan of Action in the coordinated approach taken to the follow-up to all recent major United Nations conferences and summits.

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued) (E/1996/L.33)

(a) SPECIAL ECONOMIC, HUMANITARIAN AND DISASTER RELIEF ASSISTANCE (continued)

Ms. BROWNE (Ireland) introduced draft resolution E/1996/L.33 entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations", which sought to set out a timetable for the review of the United Nations capacity in that field.

(g) CRIME PREVENTION AND CRIMINAL JUSTICE (E/1996/30)

(h) NARCOTIC DRUGS (A/51/129-E/1996/53, E/1996/27, E/1996/38)

Ms. BRYANT (Chief, United Nations Office at Vienna), introducing the report of the Secretary-General on the implementation of the United Nations

System-wide Action Plan on Drug Abuse Control (A/51/129-E/1996/53), said that although still at the initial phase, the System-wide Action Plan could become a useful planning tool.

Mr. OKUN (International Narcotics Control Board) drew attention to the statement on the programme budget implications of draft resolutions III and IV of the Commission on Narcotic Drugs contained in annex III of the Commission's report (E/1996/27).

The International Narcotics Control Board was suffering from a worrying lack of resource capacity. Its mandates had increased in number while its resources had remained static. Governments had consistently put the fight against drugs at the top of their agenda without providing adequate resources to prosecute anti-drugs campaigns effectively. The Fifth Committee had approved the creation of two new posts for the secretariat of the International Narcotics Control Board, neither of which had materialized as a direct result of the continuing financial crisis. The United Nations International Drug Control Programme and the various United Nations bodies involved in the fight against drugs urgently needed additional resources.

Ms. HOLIKOVA (Czech Republic) expressed her delegation's support for a special General Assembly session on narcotic drugs and psychotropic substances in 1998. The Commission on Narcotic Drugs should play a key role in the preparatory process and should continue to support the work of the International Narcotics Control Board, particularly with regard to monitoring. Furthermore, the Council should consider the Commission's proposals with regard to limiting documentation for agenda items.

Mr. AQUARONE (Netherlands) said that the summary of the report of the International Narcotics Control Board (E/1996/38) failed to accurately reflect the discussions that had been held at the Commission. The Netherlands had rebutted the summary's criticisms of that country's fidelity to its treaty obligations and had invited members of INCB to come to the Netherlands in September to see the situation there for themselves. Those facts cast serious doubt over the relevance of the document to the work of the Council.

Mr. GARCÍA MORITÁN (Argentina) said that organized crime on a global scale was of increasing concern to the international community. The Secretary-General should continue to gather the views of various States on the matter with

a view to assembling background material ahead of the forthcoming sixth session of the Committee on Crime Prevention and Criminal Justice.

Argentina had repeatedly endorsed the elaboration of a binding legal instrument that would make it possible to effectively combat international trafficking in children for the purposes of pornography and prostitution. Again, the Secretary-General should continue to canvass the views of States with a view to drawing up a convention banning trafficking in children. His Government did not believe that the present rules afforded adequate protection to minors, and doubted whether an optional protocol to the Convention on the Rights of the Child regarding the sale of children would provide the minimum necessary guarantees.

Mrs. ALZATE de CIFUENTES (Colombia), while welcoming the improvements that had taken place in the administrative management of the Commission on Crime Prevention and Criminal Justice, said that there was a need to redefine the scope and nature of the Commission's activities since its workload had increased dramatically; without adequate prioritization of tasks it would be unable to cope. The Commission should actively seek to coordinate its efforts with those of other international entities. In order to encourage that process, States should formulate criteria for determining which matters required greater priority or attention. At the same time an effort should be made to improve the machinery for consultation and analysis within the Commission. In that regard, existing procedures and parameters should be respected in relation to the introduction, discussion and adoption of resolutions and documents emanating from the Commission, thereby encouraging constructive debate and promoting greater cooperation in crime prevention.

Mr. ROGATCHEV (Russian Federation) said that in considering the topic of crime, there were certain priority themes, namely, international organized crime, its links with terrorism, money laundering and corruption, all of which affected the interests of the international community and therefore necessitated concerted action by all States.

Organized crime had recently been associated with increased levels of aggression, links with terrorist groups and attempts to obtain materials which posed a potential threat to individual countries, regions and the whole world. In recent years, the Russian Federation had seen an increase in crime

perpetrated by organized groups, one in six of which operated at the international level.

The solution to the problem lay in the urgent elaboration of legislative instruments designed to combat crime. His Government had placed particular emphasis on the law-making aspect of the problem, and as a result of measures adopted over the previous three years approximately 14,000 criminal groups had been eliminated.

States would have little success in combating crime without effective regional and global cooperation. That conclusion had been borne out by the experience of the Commonwealth of Independent States, where efforts had been made at both the multilateral and bilateral level to establish a treaty and legal basis for anti-crime measures. Russian cooperation in anti-crime initiatives launched by the seven major industrialized countries also served as a model for future joint action by States, possibly under the auspices of the United Nations.

His delegation regarded the Commission on Crime Prevention and Criminal Justice as the United Nations principal arm in dealing with the problem of international organized crime, and therefore fully supported its work. The United Nations should play a leading role in setting standards and norms in crime prevention and criminal justice, with the Commission subsequently compiling information on the implementation of those standards and norms.

His Government endorsed the Commission's recommendation to the Council that it should adopt draft resolutions on eliminating violence against women and preventing illicit international trafficking in children. The Russian Federation supported the idea of drawing up an international convention on the latter issue. His delegation also supported the principle of protecting the environment through the application of criminal law, and favoured the formulation of model national legislation in that field. The proposal to establish an international criminal court deserved careful consideration and the views of States on the matter should be given due weight. In addition, his delegation supported the Committee's opinion that measures to regulate firearms should continue to be studied.

Mrs. CASTRO de BARISH (Costa Rica), speaking on behalf of the Group of 77 and China, reiterated its support for the implementation of General Assembly resolution 50/146. The Group welcomed the proposed strengthening of the crime

prevention and criminal justice programme and urged the Secretary-General to allocate adequate resources to it so that it could fulfil its mandate.

The Group also supported the decision, contained in paragraphs 29 and 30 of General Assembly resolution 50/214, to upgrade the Crime Prevention and Criminal Justice Branch to a division and to reclassify the post of Chief of the Branch to the D-2 level, in addition to the establishment of the two additional P-3 posts. Those actions were the minimum necessary to respond to a growing number of requests for assistance. The programme had accomplished a great deal with scarce resources; those resources must be strengthened, especially in the area of technical assistance.

Mrs. BROWN (Jamaica) noted with appreciation the extensive work of the crime prevention and criminal justice programme in the areas of national and transnational organized crime, money laundering, international law and the environment and corruption. Her Government was fully committed to the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime and to the Declaration on the Elimination of Violence against Women. It supported the draft resolution on that subject and appreciated the emphasis placed on the prevention of trafficking in children (draft resolutions III and IV contained in the Commission's report).

Turning to the work of the International Narcotics Control Board, she said that her delegation was impressed with the thorough approach it had taken to its work and endorsed the resolutions contained in its report. Her delegation also supported the convening of a special session of the General Assembly on drug abuse.

The PRESIDENT invited the Council to take action on the draft resolutions contained in chapter I, section A, of the report of the Commission on Crime Prevention and Criminal Justice on the work of its fifth session (E/1996/30). He drew attention to annex IV of the report which contained the statements of programme budget implications of draft resolutions IV, V and VI.

Draft resolution I

Draft resolution I was adopted.

Draft resolution II

Mr. HAMDAN (Lebanon) said that while he would not challenge the wording of the draft resolution which was a consensus text, he believed that it could be improved by the addition of the following preambular paragraph:

"Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations". The addition of that paragraph would provide further incentive to States to fulfil their responsibilities under the Declaration.

Mr. MEKDAD (Observer for the Syrian Arab Republic) said that there had been extensive discussion of the draft declaration in the Third and Sixth Committees of the General Assembly, where the improvement proposed by Lebanon had been accepted.

Ms. BUCK (Canada) said that the draft before the Council represented a compromise text, and that it was neither the time nor the place to add anything to that finely-balanced resolution. She urged the Council to adopt it by consensus.

Ms. HAMILTON (Australia) agreed that the proposed amendment would upset the balance of the text.

Mr. COLOMA (Chile) said that the proposed addition would open the door to other changes. He urged the Council to respect the consensus achieved in Vienna.

Mr. AKBAR (Pakistan) said that his delegation joined the Syrian Arab Republic in supporting the addition proposed by Lebanon.

Mr. BYRNE (Ireland), speaking on behalf of the European Union, said that it opposed the reopening of negotiations on the text.

Ms. KATOH (Japan), supported by Mr. GARCIA MORITÁN (Argentina), said that the draft resolution should be adopted as it stood.

Ms. TAMLYN (United States of America) said that, while the suggested amendment sounded innocuous, it could pose a danger to the balance of the resolution. Her delegation trusted that renegotiation of the text was not the intention of any member of the Council.

Mr. AGGREY (Ghana) said that the Council should not prolong the discussion at the current stage, but should take action. Its recommendation would be transmitted to the General Assembly for action at its fifty-first session, and in the interim, the informal discussions could continue.

Mr. ZAMANI-NIA (Observer for the Islamic Republic of Iran) said that he did not agree with the argument that the draft resolution represented a consensus text that could not be altered. It had been brought before the Council precisely so that it could be discussed further. He believed that the

proposed amendment should not be rejected outright; however, he could accept the text as it stood.

Mr. REYES RODRIGUEZ (Observer for Cuba) said that while Cuba had agreed to the consensus text, it supported the proposed amendment which was both relevant and appropriate. The Council was perfectly within its rights to amend the text of draft resolutions referred to it by any of the functional commissions.

Ms. MOHAMED (Malaysia) said that while her delegation agreed, in principle, with the Lebanese amendment, it felt that it would be more appropriate to discuss the matter at the next session of the General Assembly.

Mrs. BROWN (Jamaica) and Mrs. KABA (Côte d'Ivoire) said that the consensus text should be adopted as agreed and that the proposed amendment could be referred for discussion at the General Assembly.

Mr. HAMDAN (Lebanon) stressed that his delegation had sought merely to improve the consensus text, and to ensure that it reflected the views of all concerned. Lebanon would not hamper the work of the Council. However, it reserved the right to raise the issue once more at the upcoming General Assembly session.

Mr. AKBAR (Pakistan), Ms. MOHAMED (Malaysia) and Mrs. CASTRO de BARISH (Costa Rica) associated themselves with the statement just made by Lebanon.

Mr. MEKDAD (Observer for the Syrian Arab Republic) endorsed the statement by the representative of Lebanon and expressed the hope that other delegations would take note of the importance of the issue.

Mr. REYES RODRIGUEZ (Observer for Cuba) said that his delegation hoped that the flexibility that the representative of Lebanon and others had shown would be taken into consideration at the General Assembly discussion.

The PRESIDENT said he took it that the Council wished to adopt the draft resolution.

Draft resolution II was adopted.

The PRESIDENT invited the Council to take action on the draft resolutions and draft decisions contained in chapter I, sections B and C of the report of the Commission on Crime Prevention and Criminal Justice (E/1996/30)

Draft resolutions I to III

Draft resolutions I to III were adopted.

Draft resolution IV

Ms. TAMLYN (United States of America) suggested that the Council should postpone consideration of the draft resolution, in view of its budgetary implications and the fact that the report had been issued late.

Draft resolution V

Ms. KATOH (Japan) said that the draft resolution did not accurately reflect discussions at the Commission. The phrase "taking into account the growing dangers of links between organized transnational crime and terrorist crime" should be deleted from paragraph 4 (b), since the Commission had not adopted it at its discussions. Similarly, the phrase "including a code of conduct or other instrument" should be deleted from paragraphs 8 and 9.

Ms. BUCK (Canada) said that since there had been problems with the wording of paragraph 4 (b), it might be wise to postpone the discussion so that parties could check their notes on the matter.

Ms. KATOH (Japan) asked the Secretariat to provide clarification on the matter.

The PRESIDENT said that consideration of draft resolutions IV and V would be postponed, on the understanding that postponement would not be taken as an opportunity to rework the texts themselves.

Draft resolution VI

Ms. TAMLYN (United States of America) referred the Council to her previous statement and requested a postponement of consideration of the draft resolution.

The PRESIDENT said that the postponement should not be taken to indicate that the draft resolutions would not be discussed before the end of the current session.

Draft resolutions VII to X

Draft resolutions VII to X were adopted.

Ms. KATOH (Japan) drew attention to a typographical error in the fifth preambular paragraph of draft resolution IX. The correct reference should be to resolution 1989/64.

Mr. RÖNQUIST (Sweden) said that, while Sweden had joined in the consensus on draft resolution IX, it believed that the death penalty constituted inhuman punishment and was not justified under any circumstances. It was nevertheless important for those countries which had not yet abolished the death

penalty to effectively apply certain safeguards, including those contained in the Council's resolution. For its part, Sweden would continue its efforts to abolish the death penalty.

Draft decisions I and II

Draft decisions I and II were adopted.

The PRESIDENT invited the Council to consider the draft resolutions and draft decisions contained in chapter 1, sections A and B of the report of the Commission on Narcotic Drugs (E/1996/27).

Draft resolution 1

Mr. KHAMIS (Budget Division, United Nations Office at Vienna) said that he wished to amend the statement which was contained in annex IV to the report. Should the Council decide to adopt draft resolution 1, there would be no programme budget implications for the biennium 1996-1997. If the General Assembly decided at its fifty-first session to convene a special session of the Assembly in 1998, the programme budget implications would be dealt with in the context of the proposed programme budget for the biennium 1998-1999.

Draft resolution 1 was adopted.

Mrs. ESPINOSA (Observer for Mexico) said that the draft resolution just adopted was a reflection of the broad support shown at the Council's recently concluded high-level segment for the holding of a special session of the General Assembly devoted to the fight against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities.

Ms. KATOH (Japan) welcomed the Council's decision, adding that it was essential to begin the preparatory work without delay in order to ensure the success of the special session.

Concerted action was needed to combat money laundering and, in that regard, the Commission on Narcotic Drugs should consider at its following session the recommendations on money laundering made by the International Narcotics Control Board.

Japan supported the United Nations System-wide Action Plan on Drug Abuse Control as a vital tool for the coordination and enhancement of drug abuse control activities within the United Nations system. Finally, given the high priority attached to United Nations drug control programmes, adequate resources

should be made available to the United Nations International Drug Control Programme.

Mr. GARCÍA MORITÁN (Argentina) welcomed the Council's decision and expressed the hope that a final decision on the proposed convening of a special session would be taken by the General Assembly at its fifty-first session.

Mrs. ALZATE de CIFUENTES (Colombia) said that Colombia would lend its fullest cooperation to the process of convening a special session of the General Assembly devoted to the problem of narcotic drugs.

Mr. REYES RODRIGUEZ (Observer for Cuba) said that, together with the other sponsors of the draft resolution, Cuba would continue to work towards the goal of making the proposed special session of the General Assembly a reality.

Mrs. LIMJUCO (Philippines) said that the proposed special session would focus attention on the need for a concerted international effort to combat the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities.

Draft resolution II

Draft resolution II was adopted.

Draft resolutions III and IV

Mr. SHAPIRO (United States of America) said that his delegation had not had enough time to consider the programme budget implications of draft resolutions III and IV because it had received the report of the Commission on Narcotic Drugs only a short while before. It therefore requested that consideration of the draft resolutions should be postponed to a later stage in the session.

Consideration of draft resolutions III and IV was postponed.

Draft resolution V

Draft resolution V was adopted.

Draft resolution VI

Mrs. ALZATE de CIFUENTES (Colombia) said that the draft resolution would contribute to the solution of a crisis which affected all societies. Columbia pledged its fullest cooperation to international efforts to eliminate the scourge of drug abuse.

Draft resolution VI was adopted.

Draft decisions I to IV

Draft decisions I to IV were adopted.

The PRESIDENT proposed that the Council should take note of the report of the Secretary-General on the implementation of the United Nations System-wide Action Plan on Drug Abuse Control (A/51/129-E/1996/53).

It was so decided.

The meeting rose at 12.40 p.m.

UNITED
NATIONS

E

Economic and Social Council

PROVISIONAL

E/1996/SR.46
30 January 1998

ORIGINAL: ENGLISH

Substantive session of 1996

PROVISIONAL SUMMARY RECORD OF THE 46th MEETING

Held at Headquarters, New York,
on Tuesday, 23 July 1996, at 3 p.m.

President: Mr. GERVAIS (Côte d'Ivoire)

CONTENTS

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued)

(b) IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued)

(c) IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued)

(d) HUMAN RIGHTS QUESTIONS (continued)

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

96-80995 (E)

/...

The meeting was called to order at 3.30 p.m.

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued) (A/51/203-E/1996/86)

(b) IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued) (E/1996/83)

(c) IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/51/166-E/1996/67, A/51/171-E/1996/75, A/51/212; E/1996/85)

(d) HUMAN RIGHTS QUESTIONS (continued) (A/51/41, A/51/189; E/1996/22 and Add.1, E/1996/87; E/1996/L.18 and Add.1)

Mr. BIGGAR (Ireland), speaking on behalf of the States members of the European Union, of Bulgaria, Cyprus, the Czech Republic, Hungary, Latvia, Lithuania, Poland and Romania, and of Iceland and Liechtenstein, expressed concern that the Organization's lack of resources was hampering the work of the Centre for Human Rights and of the various human rights mechanisms established by the Commission on Human Rights and the treaty bodies. The Centre was also experiencing increasing difficulty in conducting essential field operations, notably those in Burundi and Rwanda. Current efforts by the High Commissioner for Human Rights to restructure the Centre were in full conformity with the General Assembly decisions on the subject and would, it was hoped, increase its effectiveness to the extent necessary to offset the effects of the budgetary situation.

As the central mechanism for coordination, the Council had a crucial role in integrating the human rights of women into the mainstream of activities. There was a need to emphasize the human rights dimension of the Council's coordination work on gender issues and to develop training and other sensitization programmes on all human rights of women throughout the system.

Continuing grave violations of human rights worldwide were a matter of deep concern, as were efforts by some States to use the consensus achieved at Vienna as a pretext to prevent the proper examination by the international community of those situations. In that regard, the Union regretted the introduction by China

of a no-action motion on the draft resolution entitled "Situation of human rights in China" at the fifty-second session of the Commission and reiterated that, in line with the Vienna Declaration, an expression of concern about human rights violations in a country did not constitute interference in its internal affairs. While profoundly concerned at the persistence of human rights violations in China, the Union remained willing to continue its dialogue with the Chinese Government in that regard.

Concerning the human rights situation in the former Yugoslavia, the Union urged the Republika Srpska authorities to cooperate with and ensure the security of the international experts working at mass grave sites in Bosnia and Herzegovina, and it called upon all parties to the peace accords to fulfil their obligations to give the highest priority to safeguarding human rights. It fully supported the work of the International Tribunal, called for swift action by the Government of Croatia to safeguard the rights of the minority Serb population, and expressed its continuing grave concern about the treatment of ethnic minorities in Yugoslavia.

In view of the continued communal violence in the Great Lakes region of Africa, the Union supported the convening of a regional conference on peace, security and stability in that region under the joint aegis of the United Nations and the Organization of African Unity. It was particularly concerned about the deteriorating political and human rights situation in Burundi and called upon the Government of Burundi to fulfil the undertakings given at the recent Arusha Summit, particularly in regard to security assistance. It reaffirmed its willingness to help Burundi in its economic and social recovery and to continue funding the presence of United Nations human rights observers.

The Union also strongly supported the international human rights operation in Rwanda and the work of the International Criminal Tribunal. The bringing to justice of those responsible for the genocide was essential in order to end the culture of impunity and effect national reconciliation. All parties, including the Rwandan Government, had the legal obligation to cooperate fully with the Tribunal.

The continuing deterioration of the human rights situation in Myanmar was deeply troubling. The Union called again for the State Law and Order Restoration Council to release all political prisoners immediately and unconditionally. The United Nations Special Working Group on Arbitrary

Detention should visit Myanmar, and the aforementioned Council should enter into meaningful dialogue with Daw Aung San Suu Kyi and other representatives of pro-democracy groups and national minorities in order to bring about national reconciliation and democratic reform. The Union also expected a full and satisfactory explanation from the Myanmar authorities of the death in custody on 22 June 1996 of Mr. James Leander Nichols, who had served as Honorary Consul for several European States. It called for an investigation into Mr. Nichols's death by the Commission's Special Rapporteur on the situation of human rights in Myanmar.

The human rights situation and the resumption of hostilities in Chechnya were viewed with serious concern by the Union, which called in the strongest terms for an urgent end to the use of force, the reinstatement of the ceasefire and the resumption of negotiations.

Mr. GORELICK (Russian Federation) said that, in addition to the individual efforts of States to combat racism, the success of the Programme of Action of the Third Decade to Combat Racism and Racial Discrimination depended on the effectiveness of the United Nations system. Special attention should be devoted to implementing measures that guaranteed the rights of the minorities most vulnerable to discrimination. The situation in Latvia and Estonia, where hundreds of thousands of Russian-speaking people were deprived of citizenship, was particularly troubling. There remained significant disparities between citizens and "non-citizens" in the enjoyment of political, social, economic and cultural rights. The United Nations Human Rights Committee had recommended that the Estonian authorities should review their national legislation and bring it into line with the International Covenant on Civil and Political Rights. The Government of Estonia had recently reversed a decision which would have deprived hundreds of thousands of permanent residents of Estonia of the possibility of ever obtaining legal status in that country. The reversal of that decision was largely due to the efforts of Russian diplomats working with the United Nations, the Organization for Security and Cooperation in Europe and the Council of Europe. His delegation urged the international community to continue to provide assistance in resolving the situation of Russian-speaking people in Latvia and Estonia.

The fifty-second session of the Commission on Human Rights had again demonstrated that there was a broad consensus, even on complex issues, including

the situation in Chechnya. The citizens of Russia, whatever their nationality, continued to perish in the conflict in Chechnya. Until a political settlement was reached, it was his Government's firm policy to meet all violations of the recently achieved ceasefire agreement with the appropriate response. His Government would pursue its dialogue with the United Nations High Commissioner for Human Rights to bring about the normalization of the situation in Chechnya.

Mr. ARDA (Observer for Turkey), speaking on agenda item 5 (b), reminded the Council that, owing to lack of resources, the publication of addenda 2, 3 and 4 to the report of the Special Rapporteur on contemporary forms of racism had been delayed, and the Commission had therefore had to defer its consideration of those addenda until its fifty-third session (E/1996/L.18, chap. II.A, resolution 1996/21).

Mr. LEE (Observer for the Republic of Korea) called for international cooperation for the realization of the right to development. While pleased that a cooperative atmosphere had prevailed at the fifty-second session of the Commission on Human Rights, his delegation believed that the Commission's agenda should be restructured in order to avoid the annual adoption of resolutions on the same topics. It fully supported the Commission's wish to appoint Ms. Linda Chavez as Special Rapporteur to conduct an in-depth study of violence against women during periods of armed conflict (E/1996/L.18, chap. II.B, decision 1996/107) and called upon the Council to endorse that appointment.

His Government welcomed efforts to expand the coordinating role of the High Commissioner for Human Rights and to reinforce the human and financial resources of the Centre for Human Rights. It would donate US$ 500,000 in office equipment and financial assistance to the Centre in 1996. It called for a more vigorous integration of human rights issues into the mainstream of the activities of the United Nations system.

Ms. TAMLYN (United States of America) expressed her delegation's concern that Burma's military regime had substantially increased its harassment of the democratic opposition in Burma. A meaningful political dialogue among the ruling generals, the National League for Democracy and the leaders of the ethnic minorities was called for in order to bring about the peaceful return of an elected civilian government in that country.

The United States strongly supported serious consideration of the human rights situation in Iran and urged the international community to speak out

against the widespread and systematic human rights abuses in that country, which included political and religious persecution. With regard to the situation in Burundi, her delegation called upon all parties to reject violence and to use the framework of the Arusha peace process to resolve the problems plaguing their country.

Her delegation welcomed the consensus adoption by the Commission on Human Rights of resolutions on the Sudan and the former Yugoslavia, along with an agreement to establish a human rights centre in Colombia. It looked forward to a meaningful reform of the Commission's agenda and noted with satisfaction the stronger emphasis on the mainstreaming of the human rights of women as a cross-cutting aspect of the Commission's investigating, reporting and implementing functions.

Mr. WANG Xuexian (China) welcomed the progress made at the fifty-second session of the Commission on Human Rights, as evidenced by the further attention given to mass and gross violations caused by foreign aggression and occupation as well as by neo-racism and xenophobia, the consensus adoption of the resolution on the right to development, and the criticism of the politicization of human rights issues. He called upon the Council to commend that progress. However, the Commission's emphasis on civil and political rights to the detriment of economic, social and cultural rights was regrettable. Moreover, some countries had pursued a double standard, turning a blind eye to human rights violations in their own countries while making unwarranted accusations against other countries. The resulting political confrontations, typified by a failed anti-China draft resolution, had seriously hampered the Commission's work and undermined international cooperation.

His delegation urged the Council to reform and rationalize the work of the Commission with an eye to ensuring the Council's continued efficiency into the twenty-first century. The Commission and the other United Nations human rights bodies should adhere to the purposes and principles of the Charter of the United Nations and carry out international human rights cooperation on the basis of equality and mutual respect. All human rights should be treated fairly and comprehensively, on the same footing and with the same emphasis. United Nations human rights bodies should give priority to issues of importance to the developing countries and promote the realization of economic, social and cultural rights and the right to development. More developing countries should

be admitted to membership in the Commission, thereby further rationalizing and democratizing its work.

His delegation categorically rejected the groundless accusations just made by the representative of the European Union against China and other developing countries on human rights issues. Such accusations were designed to use human rights concerns as a guise to exert pressure on China and other developing countries, which should be on their guard against such tactics.

Mr. USUI (Japan) expressed his delegation's support for the current restructuring of the Commission on Human Rights and the special attention being given to the right to development. The restructuring was an important part of the overall improvement of administrative and management functions necessary for strengthening United Nations activities in the field of human rights. Japan supported the efforts of the High Commissioner to promote human rights in such areas as Burundi, Rwanda and the former Yugoslavia, and it had contributed US$ 600,000 to the Centre for Human Rights in 1996 to assist in the return of refugees and internally displaced persons. Moreover, in view of the importance it attached to the Centre's provision of technical assistance to developing countries, Japan had increased its voluntary contributions to the United Nations Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights.

Mr. REYES RODRIGUEZ (Observer for Cuba) endorsed the comments of the observer for Turkey regarding the report of the Special Rapporteur on contemporary forms of racism and urged the Council to ensure that the Special Rapporteur was provided with the funds necessary for him to carry out his mandate in full.

His delegation supported the work of the United Nations High Commissioner for Human Rights. During the fifty-second session of the Commission on Human Rights, informal consultations had been held on the possible restructuring of the human rights programme and on ways to eliminate politicization from the treatment of human rights issues. His delegation supported efforts for greater transparency and the consultations aimed at improving the Commission's work through the streamlining and rationalization of its many mandates, reports and resolutions. Resolutions could be grouped under general topics so as to reduce their number, and reports could be consolidated. His delegation supported the

resolutions and decisions adopted by the Commission at its fifty-second session and welcomed the emergence of a spirit of consensus in that body.

Ms. HOLIKOVA (Czech Republic) said that the Vienna Declaration had reflected the unanimous agreement of Governments to pursue a policy to combat racism, xenophobia, anti-Semitism and intolerance. It was now necessary to develop a strategy that took into account the vastly different situations in countries where the need to combat hostility and injustice was evident. Aware that the number of hate crimes directed against the Roma community was increasing, her Government had designed practical measures to ensure that the rights of national minorities were protected. Furthermore, it was financing a number of projects aimed at developing the cultures of national minorities. A key requirement in establishing a genuine culture of tolerance was undoubtedly education.

Mr. GUBAREVICH (Belarus) welcomed the spirit of consensus that had characterized the most recent session of the Commission on Human Rights and agreed with previous speakers on the advisability of reducing the number and volume of resolutions adopted by the Commission. Constructive dialogue between Governments was essential to the Commission's work. In that regard, informal mechanisms for the exchange of views between delegations aimed at improving the political atmosphere and overcoming confrontation should be encouraged.

His delegation supported the enhancement of the international monitoring of human rights and advocated a timely submission by States of reports on the implementation of the obligations they had assumed. For its part, his Government would continue to fulfil its obligations and to work together with United Nations special rapporteurs and human rights bodies.

Ms. SIBAL (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that General Assembly resolution 50/173 on the United Nations Decade for Human Rights Education: culture of peace encouraged Director-General of UNESCO to take all necessary action to ensure education for peace, human rights, democracy, international understanding and tolerance. Among the activities undertaken by UNESCO in that area were training programmes with the parliaments of El Salvador and Mozambique, aimed at reinforcing pluralism in civil society, and the elaboration of teaching materials on education for peace, human rights and democracy for secondary schools in Burundi, where seminars had also been organized for local government officials.

UNESCO was continuing its efforts to develop a comprehensive system of training and education for human rights and democracy through the establishment of professorships in several universities in Africa, Latin America, Asia, Europe and the Arab States.

One objective of UNESCO was to harmonize its efforts with those of the United Nations system and to coordinate action-oriented programmes in the area of education for human rights that went hand in hand with the promotion of tolerance, non-violence and democracy. Some delegations had proposed a special session of the General Assembly in 1999 devoted to an in-depth discussion of the culture of peace. If that proposal found acceptance among the States Members of the United Nations, UNESCO was anxious to take on any responsibilities which the General Assembly might assign it in that regard.

The PRESIDENT suggested that the Council should take note of the report of the Secretary-General on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination in document E/1996/83.

It was so decided.

The PRESIDENT suggested that the Council should take note of the report of the Secretary-General on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations in document A/51/212 and the report of the Secretary-General on assistance to the Palestinian people in document A/51/171-E/1996/75.

It was so decided.

The PRESIDENT suggested that the Council should take note of the report of the United Nations High Commissioner for Human Rights in document E/1996/87, the report of the Committee on Economic, Social and Cultural Rights on the twelfth and thirteenth sessions in document E/1996/22 and the report of the Committee on the Rights of the Child in document A/51/41.

It was so decided.

The PRESIDENT drew the Council's attention to the draft resolutions and decisions recommended for adoption in the excerpt from the report of the Commission on Human Rights on its fifty-second session in document E/1996/L.18 and the related statement of administrative and programme budget implications in document E/1996/L.18/Add.1.

Draft resolutions I to IV

Draft resolutions I to IV were adopted.

Mr. USUI (Japan) pointed out that the study prepared by the Special Rapporteur on the protection of the cultural and intellectual property of indigenous people, referred to in draft resolution IV, had already been published in all official languages in document E/CN.4/Sub.2/1993/28 of the Subcommission on Prevention of Discrimination and Protection of Minorities. His delegation urged the Secretariat to make use of the existing translations so as not to place additional demands on the United Nations budget.

Draft resolution V

Draft resolution V was adopted.

Draft decisions 1 to 3

Draft decisions 1 to 3 were adopted.

Draft decision 4

Mr. BIGGAR (Ireland), speaking in explanation of vote before the voting on behalf of the States members of the European Union, said that at the World Conference on Human Rights the Union had joined the consensus on the right to development as set out in the Vienna Declaration and Programme of Action. It was pleased that the Commission on Human Rights had adopted resolution 1996/15 on the right to development by consensus.

The Union fully supported the efforts of the High Commissioner to restructure the Centre for Human Rights, including through the establishment of a branch the primary responsibilities of which would include the promotion and protection of the right to development, as agreed by the General Assembly in its resolution 50/214. However, the draft decision ran counter to that resolution and was not in conformity with the restructuring being undertaken. Accordingly, the Union would vote against it.

At the request of the representative of Ireland made on behalf of the States members of the European Union, a recorded vote was taken on draft decision 4.

In favour: Argentina, Bangladesh, Brazil, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Egypt, Ghana, Guyana, India, Indonesia, Jamaica, Jordan, Lebanon, Malaysia, Nicaragua, Pakistan, Paraguay, Philippines, Senegal, South

Africa, Thailand, Togo, Tunisia, Uganda, United Republic of Tanzania, Venezuela, Zimbabwe.

Against: Australia, Belarus, Bulgaria, Canada, Czech Republic, Finland, France, Germany, Greece, Ireland, Japan, Luxembourg, Netherlands, Poland, Portugal, Romania, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Draft decision 4 was adopted by 31 votes to 20.

Mr. USUI (Japan) said that his country would continue its practice of providing various kinds of assistance to heavily indebted countries. However, Commission on Human Rights resolution 1996/12 failed to reflect the agreed language on the subject and linked the problem of foreign debt with human rights questions for the purpose of alleviating the debt burden, an idea which his delegation could not accept. It had therefore voted against draft decision 4.

Draft decisions 5 to 16

Draft decisions 5 to 16 were adopted.

Draft decision 17

Mr. BIGGAR (Ireland), speaking on behalf of the States members of the European Union, said that the new Government of Guatemala had taken a number of encouraging steps to address the problems relating to long-standing violations of human rights. The negotiations on a comprehensive peace settlement also had made significant progress. The Union called on all parties to the peace process to redouble their efforts to conclude a comprehensive peace agreement which guaranteed the re-establishment of human rights.

The Union strongly believed that placing the security forces under full democratic control was essential in bringing about a climate in which all human rights could be restored. It called on the Government of Guatemala to implement a comprehensive policy against impunity, encompassing improvement of the administration of justice and the full cooperation of the armed forces with the judiciary. The independent expert and the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) performed separate but complementary roles. The Union supported the renewal of the independent expert's mandate and called on the Government to continue its

cooperation with the expert, whose assistance would remain crucial in promoting higher standards of human rights protection.

Ms. FUENTES ORELLANA (Observer for Guatemala) said that since 1986 Guatemala had become a party to approximately 45 international human rights instruments and other important instruments which were closely related to its ongoing process of reform.

The peace process was irreversible, and the final peace agreement between the Government and the Unidad Revolucionaria Nacional Guatemalteca (URNG) would be signed on 15 September 1996. The process would have been impossible without the valuable assistance of the Governments of the Group of Friendly Countries. Extensive demobilization of the national armed forces, paramilitary officers (comisionados militares), and paramilitary groups was under way.

The recommendations of the independent expert had led to the adoption of legislation revising the Criminal Code, which now treated extrajudicial executions, forced disappearances and torture as crimes. Provisions which had discriminated against women had been declared unconstitutional. A new Code of Criminal Procedure and other legislation had been adopted, facilitating investigations and prosecutions of cases of impunity. With the assistance of the United Nations Development Programme and MINUGUA, training was being provided to facilitate the implementation of the new Code.

A national commission had been established to facilitate the return of Guatemalan refugees in Mexico, Honduras, Belize and Costa Rica, and formalities to that end had been simplified.

Her delegation welcomed the acknowledgement in Commission resolution 1996/59 of her Government's determination to consolidate respect for and the full enjoyment of human rights, democracy and the peace process. She wished to emphasize that the assistance which her Government received for the monitoring and verification of human rights was complemented by technical and financial cooperation designed to strengthen national capacities in the field of human rights.

The restoration of peace was a difficult and complex task requiring the cooperation of all sectors of civil society and economic assistance from the international community. Her Government estimated that the cost of financing the peace agreements with URNG would exceed $2 billion, for the purchase of land, road and housing construction, governmental reforms and modernization of

the legal system, the police and the army. The funds would be used for one-time and/or emergency projects, social development, modernization of the State and the development of production, which also required improved access to international markets for Guatemalan goods.

Her delegation was grateful for the assistance provided to her country in the field of human rights and for the work of MINUGUA and the independent expert. Her Government also was grateful that the Centre for Human Rights had accepted its invitation to send a mission to Guatemala. In conclusion, she said that proposals, solutions and projects in the field of human rights could contribute to the establishment of a just and equitable society only if they reflected the particular requirements and circumstances of the country concerned.

Draft decision 17 was adopted.

Draft decision 18

Draft decision 18 was adopted.

Draft decision 19

Mr. BIGGAR (Ireland), speaking on behalf of the States members of the European Union, said that the Union considered that Commission resolution 1996/65 ran counter to the spirit and language of Article 101 of the Charter of the United Nations and by implication called into question the dedication, professionalism and impartiality of the staff of the Centre for Human Rights. The geographical basis for the selection of United Nations staff should be considered over the system as a whole, and not simply in relation to a specific part of the system.

In the Commission on Human Rights, the Union had explained its objections to the provisions of Commission resolution 1996/65 relating to junior professional officers. Moreover, the heavy dependence of the Centre on such officers stemmed in part from the persistent lack of financial resources and the continued failure to transform temporary posts into permanent ones.

At the request of the representative of Ireland made on behalf of the States members of the European Union, a recorded vote was taken.

In favour: Argentina, Bangladesh, Brazil, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Egypt, Ghana, Guyana, India, Indonesia, Jamaica, Jordan, Lebanon, Malaysia, Nicaragua, Pakistan, Paraguay, Philippines, Senegal, South

Africa, Sudan, Thailand, Togo, Tunisia, Uganda, United Republic of Tanzania, Venezuela, Zimbabwe.

Against: Australia, Belarus, Bulgaria, Canada, Czech Republic, Finland, France, Germany, Greece, Ireland, Japan, Luxembourg, Netherlands, Poland, Portugal, Romania, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Draft decision 19 was adopted by 32 votes to 20.

Draft decision 20

Draft decision 20 was adopted.

Draft decision 21

At the request of the representative of the United States of America, a recorded vote was taken.

In favour: Australia, Bangladesh, Belarus, Brazil, Bulgaria, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Czech Republic, Egypt, Finland, France, Germany, Ghana, Greece, Guyana, India, Indonesia, Ireland, Jamaica, Japan, Jordan, Lebanon, Luxembourg, Malaysia, Netherlands, Nicaragua, Pakistan, Paraguay, Philippines, Poland, Portugal, Romania, Russian Federation, Senegal, South Africa, Sudan, Sweden, Thailand, Togo, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Zimbabwe.

Against: United States of America.

Abstaining: Argentina, Côte d'Ivoire.

Draft decision 21 was adopted by 49 votes to 1, with 2 abstentions.

Draft decision 22

Mr. REYES RODRIGUEZ (Observer for Cuba), speaking in explanation of vote before the voting, said that his delegation categorically rejected draft decision 22, which perpetuated a fraudulent exercise perpetrated by successive United States Governments against his country. Moreover, the Helms-Burton Act recently adopted by the United States Government was a criminal, immoral and illegal attempt to deprive an entire nation of the most basic necessities for survival, including food and medicine. It was deplorable that some of the

scarce resources of the United Nations were to be used to perpetuate a completely useless and untenable exercise.

His country deemed itself neither judged nor accused. It would continue on its historic path of independence with dignity and would continue to cooperate with the United Nations and those who promoted the enjoyment of human rights throughout the world on the basis of respect and equality.

At the request of the representatives of Ghana and India, a recorded vote was taken.

In favour: Australia, Bulgaria, Canada, Chile, Czech Republic, Finland, France, Germany, Greece, Ireland, Japan, Luxembourg, Netherlands, Nicaragua, Paraguay, Portugal, Romania, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: China, Ghana, India, Indonesia, South Africa, Sudan, United Republic of Tanzania, Zimbabwe.

Abstaining: Argentina, Bangladesh, Belarus, Brazil, Central African Republic, Colombia, Côte d'Ivoire, Egypt, Guyana, Jamaica, Jordan, Lebanon, Malaysia, Pakistan, Philippines, Poland, Russian Federation, Thailand, Togo, Tunisia, Uganda, Venezuela.

Draft decision 22 was adopted by 20 votes to 8, with 22 abstentions.

Draft decision 23

Draft decision 23 was adopted.

Draft decision 24

Mr. BIGGAR (Ireland), speaking on behalf of the States members of the European Union, said that despite repeated condemnation by the international community, the systematic denial of human rights in Iraq continued, resulting in all-pervasive repression and oppression. The Union felt that the dispatch of a team of human rights monitors to Iraq would provide better information on the human rights situation in Iraq and help in independent verification of that situation. It called on the Government of Iraq to end all human rights violations and in particular to comply with Commission on Human Rights resolution 1996/72 and with the international human rights covenants to which Iraq was a party.

The Union hoped that the implementation of Security Council resolution 986 (1995) would alleviate the suffering of the Iraqi people, for which the Government of Iraq bore responsibility. It underlined the need for the Iraqi authorities to implement faithfully and thoroughly the plan for the purchase and distribution of food, medical supplies and other essential humanitarian supplies.

At the request of the representative of Egypt, a recorded vote was taken.

In favour: Argentina, Australia, Belarus, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Czech Republic, Finland, France, Germany, Ghana, Greece, Guyana, Ireland, Jamaica, Japan, Luxembourg, Netherlands, Nicaragua, Paraguay, Poland, Portugal, Romania, Russian Federation, Senegal, South Africa, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: None.

Abstaining: Bangladesh, Central African Republic, China, Côte d'Ivoire, Egypt, India, Indonesia, Jordan, Lebanon, Malaysia, Pakistan, Philippines, Thailand, Togo, Tunisia, Uganda, United Republic of Tanzania, Zimbabwe.

Draft decision 24 was adopted by 33 votes to none, with 18 abstentions.

Mr. AL-HITTI (Observer for Iraq) said that Iraq fully subscribed to the human rights principles enshrined in the Charter of the United Nations and in international conventions and treaties. Draft decision 24 was politically motivated and was not relevant to the issue of human rights in Iraq because it ignored the many measures of democratization which had been introduced by his Government, including free elections of the President and municipal officials and the amnesty granted to prisoners and some criminals. Iraq tried to strike a balance between the rights of prisoners and the protection of society, but the welfare of society had to come first.

The draft decision ignored the difficult situation faced by Iraq. Widespread poverty and hunger resulting from the blockade were causing an increase in crime. Through the imposition of sanctions, human rights were being violated by the very parties which were claiming to protect those rights. Instead of defending criminals who were a threat to society, those parties should condemn the genocide of Iraqi children, women and men, hundreds of

thousands of whom had died because of the economic blockade. The only solution was to lift the blockade so that life could return to normal, security and stability would prevail, and human rights would be strengthened. His delegation totally rejected the draft decision.

Mr. WISSA (Egypt) said that his Government called on the Iraqi Government to respect human rights and fundamental freedoms and immediately release all Kuwaiti prisoners. However, his delegation noted that there was a tendency to adopt double standards and become embroiled in issues that were irrelevant to the mandate of the Commission on Human Rights. In sending teams of human rights monitors, the views of the countries concerned must be taken into account. His delegation therefore abstained in the voting on the draft decision.

Ms. AL AWADHI (Observer for Kuwait), referring to the points raised by the representative of Iraq, said that the people of Kuwait had suffered for seven months during the Iraqi aggression against Kuwait and therefore sympathized with the suffering of the Iraqi people. Her delegation endorsed the request by the representative of Egypt that Iraq should release Kuwaiti and other prisoners languishing in Iraqi prisons.

Draft decision 25

Draft decision 25 was adopted.

Mr. WISSA (Egypt) said that his delegation reaffirmed the importance of respect for human rights and fundamental freedoms in all parts of the world; however, as it had already noted, there was a double standard within the Commission on Human Rights. Furthermore, the political and legal aspects of the dispatch of observers to monitor human rights situations had not been clarified. Egypt totally rejected interference in the internal affairs of any State and reaffirmed its consistent position against any action or measure which undermined the sovereignty of any State, including the Sudan, which should maintain good-neighbourly relations and respect human rights.

Mr. BIGGAR (Ireland), speaking on behalf of the States members of the European Union, said that the Union remained deeply concerned about the human rights situation in the Sudan, where continued serious human rights violations included summary executions, slavery and similar practices, torture and the denial of the freedoms of expression, association and peaceful assembly. The Sudanese Government must take immediate action to restore the human rights of

the population. Many violations of human rights continued to be committed in the context of the hostilities, and the Union called on the parties to the conflict to ensure full respect for humanitarian law. It urged the Sudanese Government to honour the commitments given to the Commission on Human Rights by cooperating fully with the Special Rapporteur in the discharge of his mandate. The Union felt that, at its fifty-third session, the Commission should take a positive decision on the question of the placement of human rights field officers to monitor the situation of human rights in the Sudan.

Ms. WAHBI (Sudan) said that the Sudan confirmed its commitment to the promotion and protection of human rights and fundamental freedoms as embodied in human rights instruments to which it was a party and in the Charter of the United Nations.

Under a national amnesty, all political detainees had been released. Her Government had signed a peace agreement with the rebel factions, which had shown a desire for peace and had given permission for a C-130 plane to deliver relief to affected areas in southern Sudan and areas controlled by the rebels.

The Sudan had established a committee to investigate all human rights violations brought to its attention by the international community and was following up all allegations of disappearances. It had extended an invitation to the Special Rapporteur on religious intolerance to investigate the situation in the Sudan and had undertaken to cooperate with him.

Her Government was fully aware that the conflict in southern Sudan was at the basis of many human rights violations. The attitude of the rebels was a significant factor. Her Government was making the utmost efforts to achieve peace in southern Sudan and called on all rebel factions to respond to its overtures and to regional peace efforts. Her Government was committed to the preservation of human rights and rejected the use of the concept to pursue political ends or for reasons of bilateral problems between States.

Rights of reply

Mr. LUKK (Observer for Estonia), said that his delegation had been surprised to find in the checklist of documents for agenda item 5 (d) a letter from the Permanent Mission of the Russian Federation to the United Nations referring to a memorandum on the situation of the Russian-speaking population in Estonia. It might be assumed that, if one country was going to raise an issue

concerning another country, the latter would be notified in advance; however, such diplomatic courtesies seemed to have been forgotten.

The accusations made in document A/51/189 had also been made in the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe, which were well aware of the real situation in Estonia and had not found it necessary to discuss the allegations, recognizing their political motivation and the disregard of facts. The United Nations fact-finding mission which had visited Estonia in February 1993 had noted in paragraph 93 of its report (A/48/511) that no specific instances of discrimination, as such, had been observed. No claims of a worsening situation of the Russian-speaking population in Estonia had been made by foreign embassies in Estonia, the OSCE Mission or international experts.

As noted by the observers from OSCE and the Council of Europe, Estonia had made significant efforts to overcome the legacy of 50 years of Soviet occupation. It had never sought to become a monoethnic State. A number of laws had been adopted to provide better protection of individual human rights. There were no laws which placed restrictions on grounds of ethnicity, mother tongue or culture. Laws which concerned aliens had been drafted with the help of international experts.

It was regrettable that the Russian Federation was continuing to create an artificial atmosphere of conflict in Russian-Estonian relations, to spread confusion among Estonia's Russian-speaking population and in international organizations and to misuse human rights issues for geopolitical purposes. Estonia, on the other hand, was seeking to improve its relations with the Russian Federation. He called on the Russian Federation to avoid rhetoric and search for practical solutions in direct talks with his Government.

A comprehensive response to the allegations of human rights violations in Estonia would be given in a position paper to be circulated as an official document of the General Assembly.

Mr. SLOKENBERGS (Observer for Latvia) said that the Russian Federation had been making allegations about human rights abuses in Estonia and Latvia for four years, some based on falsehoods, and most unsupported by any facts. The allegations had continued despite the close involvement of the international community, including the United Nations, OSCE, the Council of Europe and individual Governments, in the processes of rebuilding that were under way in

Estonia and Latvia after 50 years of Soviet occupation. According to the assessment of the international community, his Government's human rights policies conformed with the accepted standards of international human rights law, and since the regaining of independence in 1991 there had been no gross or systematic violations of human rights in Latvia.

Mr. MALGNINOV (Russian Federation) said that the Russian Federation's position on the question of human rights in Estonia and Latvia had been described in detail in its earlier statement. His delegation had been surprised that the representative of Latvia had expressed the view that the discussion of human rights problems in a given country constituted an abuse of United Nations human rights machinery; at the current meeting, a number of delegations had made the point that the consideration of human rights situations did not constitute interference in the internal affairs of States.

The Latvian authorities themselves recognized that the situation in Latvia was not ideal. The acute problems faced by minorities, including the Russian-speaking population, must be remedied by the advisory committee set up by the Latvian Government for that purpose.

The representative of Estonia had indicated that human rights issues were important to his Government; his delegation hoped that that concern would be reflected in legislative activities and the policies of government bodies and ministries so as to ensure respect for the human rights of all persons living permanently in the territory of Estonia, regardless of their nationality. That would create a basis for the improvement of bilateral relations between the Russian Federation and Estonia, and between the Russian Federation and Latvia, to which his Government sincerely aspired.

Mr. REZVANI (Observer for the Islamic Republic of Iran) said that the United States delegation had once again taken up the Council's time to make antique and baseless allegations pertaining to so-called human rights violations in Iran. His delegation categorically rejected those allegations and strongly resented the provocative attitude of the United States delegation. The Council could not allow delegations to pursue extraneous political goals and exigencies by politicizing the human rights issue. It was clear that the United States delegation had not read the report of the Commission on Human Rights or the most recent reports of the Special Rapporteur and the thematic rapporteurs, all of which contradicted the United States allegations.

His delegation suggested that the United States Government should take steps to improve the human rights situation in its own society and find lasting solutions to racism and racial discrimination and in particular the degrading conditions of over 1 million persons in United States prisons, especially African American inmates. His delegation had reason to believe that the hostile attitude of the United States Government stemmed from the failure of the hegemonistic policies of the United States Government in the region and was designed for domestic consumption in an election year. The allegations were rooted in the arrogant nature of the United States Government and its military and non-military aggression against and suppression of other nations, which had been acknowledged worldwide.

His Government was honouring its international commitments to genuine human rights and would continue to defend Islamic ideals and values, including the primacy of human rights; it would not give in to exploitation and pressure.

Mr. AL-HITTI (Observer for Iraq) said that no prisoners or hostages were being held in Iraq. There were missing persons, as in all similar situations, but Iraq was cooperating fully with the International Committee of the Red Cross and progress was being made. Iraq participated actively in all technical committees set up for the purpose and responded to all requests from the Kuwaiti side. The issue of missing persons was humanitarian, not political, and Iraq had no interest in withholding information, which was supplied as it became available.

Ms. AL AWADHI (Observer for Kuwait) said that 625 Kuwaiti and non-Kuwaiti prisoners were being held by the Iraqi authorities and were being moved from one prison to another to conceal their whereabouts. The Iraqi statement revealed Iraq's intransigence, its desire to conceal all relevant data on Kuwaiti prisoners taken during the invasion of Kuwait, and its refusal to implement the relevant Security Council resolutions.

The meeting rose at 6.20 p.m.